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LEGISLATIVE HISTORY
Public Law 87-469
H. R. 9097

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INDEX AND SUMMARY OF H. R. 9097

Mar. 30, 1961	Sen. Dworshak introduced S. 1485 which was referred to the Senate Interior and Insular Affairs Committee. Print of bill as introduced.
Sept. 7, 1961	Rep. Harding introduced H. R. 9097 which was referred to the House Agriculture Committee. Print of bill as introduced.
Feb. 15, 1962	House subcommittee voted to report H. R. 9097.
Feb. 21, 1962	House committee voted to report (but did not actually report) H. R. 9097.
Feb. 28, 1962	House committee reported H. R. 9097 with amendments. H. Report No. 1393. Print of bill and report.
Mar. 19, 1962	House passed H. R. 9097 as reported.
Mar. 20, 1962	H. R. 9097 was referred to the Senate Interior and Insular Affairs Committee. (Not printed as referred).
Mar. 29, 1962	Senate subcommittee approved S. 1485 for full committee consideration.
May 1, 1962	Senate committee voted to report (but did not actually report) S. 1485.
May 2, 1962	Senate committee reported S. 1485 with amendments. S. Report No. 1381. Print of bill and report.
May 17, 1962	Senate passed H. R. 9097 without amendment in lieu of S. 1485. S. 1485 indefinitely postponed due to passage of H. R. 9097.
May 31, 1962	Approved: Public Law 87-469.

DIGEST OF PUBLIC LAW 87-469

SALE OF OMITTED PUBLIC LANDS IN IDAHO. Authorizes the Secretary of the Interior to sell at not less than fair market value any lands in Idaho in the vicinity of the Snake River or any of its tributaries which have been or may be found upon survey to be omitted public lands of the United States. Lands within the boundaries of a National Forest or other Federal reservation, lands which are lawfully appropriated by a qualified settler or entryman under the public land laws, and lands used and occupied by Indians claiming by reason of aboriginal rights or Indians eligible for allotments of lands from the public domain are exempted. Lands claimed by citizens of the United States under color of title or as a riparian owner and which they have placed valuable improvements upon, reduced to cultivation, or established occupancy, may be purchased by the claimant at fair market value.

87TH CONGRESS
1ST SESSION

S. 1485

IN THE SENATE OF THE UNITED STATES

MARCH 30, 1961

MR. DWORSHAK introduced the following bill; which was read twice and referred
to the Committee on Interior and Insular Affairs

A BILL

To authorize the Secretary of the Interior to sell certain public
lands in Idaho.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of the Interior, in his discretion, is hereby
4 authorized to sell at not less than their fair market value,
5 as determined by the Secretary by appraisal or otherwise,
6 taking into consideration any reservations specified by the
7 Secretary pursuant to sections 3 and 4 of this Act, any of
8 those lands in the State of Idaho, in the vicinity of the Snake
9 River or any of its tributaries which have been, or may be,
10 found upon survey to be omitted public lands of the United

1 States, which lands are not lawfully appropriated by a quali-
2 fied settler or entryman claiming under the public land laws.

3 SEC. 2. Any citizen of the United States who, in good
4 faith under color of title or claiming as a riparian owner has,
5 prior to the date of this Act, placed valuable improvements
6 upon, reduced to cultivation, or occupied any of the lands
7 subject to the operation of this Act, or whose ancestors or
8 predecessors in title have taken such action, shall, if such
9 lands be offered for sale by the Secretary, have a preference
10 right to purchase such lands at their fair market value (which
11 shall not include any increased value resulting from the
12 development or improvement thereof for agricultural or other
13 purposes by the applicant or his predecessors in interest)
14 under such rules and regulations as the Secretary may pre-
15 scribe for the operation of this Act.

16 SEC. 3. All patents issued under the provisions of this
17 Act shall be subject to and contain a reservation to the
18 United States of all the coal, oil, gas, oil shale, phosphate,
19 potash, sodium, native asphalt, solid and semisolid bitumen,
20 and bituminous rock (including oil-impregnated rock or
21 sands from which oil is recoverable only by special treat-
22 ment after the deposit is mined or quarried), together with
23 the right to prospect for, mine, and remove the same.

24 SEC. 4. The Secretary, in his discretion, may reserve
25 in patents issued under this Act the right of access to the

1 public through the lands and such other reservations as he
2 may deem appropriate and consonant with the public interest
3 in preserving public recreational values in the lands.

4 SEC. 5. The Secretary is hereby authorized to prescribe
5 all necessary rules and regulations for administering the pro-
6 visions of this Act, including, without limitation, the deter-
7 mination of conflicting claims arising hereunder.

A BILL

To authorize the Secretary of the Interior to
sell certain public lands in Idaho.

By Mr. DWORSHAK

MARCH 30, 1961

Read twice and referred to the Committee on Interior
and Insular Affairs

87TH CONGRESS
1ST SESSION

H. R. 9097

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 1961

Mr. HARDING introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To authorize the Secretary of the Interior to sell certain public lands in Idaho.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of the Interior, in his discretion, is hereby
4 authorized to sell at not less than their fair market value,
5 as determined by the Secretary by appraisal or otherwise,
6 taking into consideration any reservations specified by the
7 Secretary pursuant to sections 3 and 4 of this Act, any of
8 those lands in the State of Idaho, in the vicinity of the Snake
9 River or any of its tributaries which have been, or may be,
10 found upon survey to be omitted public lands of the United
11 States, which lands are not lawfully appropriated by a quali-

1 fied settler or entryman claiming under the public land laws,
2 or are not used and occupied by Indians claiming by reason
3 of aboriginal rights or are not used and occupied by Indians
4 who are eligible for an allotment under the laws pertaining
5 to allotments on the public domain.

6 SEC. 2. Any citizen of the United States who, in good
7 faith under color of title or claiming as a riparian owner has,
8 prior to March 30, 1961, placed valuable improvements
9 upon, reduced to cultivation, or occupied any of the lands
10 subject to the operation of this Act, or whose ancestors or
11 predecessors in title have taken such action, shall, if such
12 lands be offered for sale by the Secretary, have a preference
13 right to purchase such lands at their fair market value
14 (which shall not include any increased value resulting from
15 the development or improvement thereof for agricultural or
16 other purposes by the applicant or his predecessors in inter-
17 est) under such rules and regulations as the Secretary may
18 prescribe for the operation of this Act.

19 SEC. 3. All patents issued under the provisions of this
20 Act shall be subject to and contain a reservation to the
21 United States of all the coal, oil, gas, oil shale, phosphate,
22 potash, sodium, native asphalt, solid and semisolid bitumen,
23 and bituminous rock (including oil-impregnated rock or
24 sands from which oil is recoverable only by special treat-

1 ment after the deposit is mined or quarried), together with
2 the right to prospect for, mine, and remove the same.

3 SEC. 4. The Secretary, in his discretion, may reserve
4 in patents issued under this Act the right of access to the
5 public through the lands and such other reservations as he
6 may deem appropriate and consonant with the public interest
7 in preserving public recreational values in the lands.

8 SEC. 5. The Secretary is hereby authorized to prescribe
9 all necessary rules and regulations for administering the pro-
10 visions of this Act, including, without limitation, the deter-
11 mination of conflicting claims arising hereunder.

87TH CONGRESS
1ST Session

H. R. 9097

A BILL

To authorize the Secretary of the Interior to
sell certain public lands in Idaho.

By Mr. HARDING

SEPTEMBER 7, 1961

Referred to the Committee on Interior and Insular
Affairs

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued February 16, 1962
For actions of February 15, 1962
87th-2d, No. 22

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HIGHLIGHTS: Sen. Humphrey commended farm program. Sen. Keating criticized farm program. Sen. Stennis and others urged expanded program of forest research. Rep. Findley criticized payments under feed grains program.

HOUSE

- 1. FARM PROGRAM.** Rep. Findley criticized the feed grains program, saying, "Secretary Freeman's flimsy explanation of phantom acres payments in the 1961 feed grains program makes it apparent he will try to perpetuate this \$150 million annual waste in the 1962 and future programs." pp. 2039-40
The "Daily Digest" states: "Committee on Agriculture: Additional public hearings on the administration's farm bill (H. R. 10010) have been scheduled for February 27, 28, and March 1, and for March 6 through March 9." p. D88
- 2. NATIONAL FORESTS.** The Subcommittee on Public Lands of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 9822, to provide that lands within the exterior boundaries of national forests acquired under Sec. 8 of the Taylor Grazing Act may be added to the national forest. p. D89
- 3. LANDS.** The Subcommittee on Public Lands of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 9097, to authorize the Secretary of the Interior to sell certain public lands in Idaho. p. D89

4. MANPOWER. The Rules Committee reported a resolution for the consideration of H. R. 8399, the proposed Manpower Training and Development Act of 1962. p. 2070
5. HOUSING. The Government Operations Committee reported without amendment H. Res 530, disapproving Reorganization Plan No. 1 to create a Department of Urban Affairs and Housing (H. Rept. 1360). p. 2070
Rep. O'Hara favorably discussed the proposed Department of Urban Affairs and Housing, saying, "It is clear from the President's message that he intends this new Department to serve all of the cities in America." pp. 2038-9
6. PUBLIC DEBT. The Ways and Means Committee reported without amendment H. R. 10050, to provide for a further \$2 billion increase in the public debt limit until June 30, 1962 (H. Rept. 1361). p. 2070
7. CONSERVATION. Rep. Hiestand discussed flood control and water conservation projects in southern California. p. 2068
8. SURPLUS COMMODITIES. Both Houses received the annual report on orderly liquidation of stocks of agricultural commodities held by the Commodity Credit Corporation and the expansion of markets for surplus agricultural commodities. pp. 2070, 2072
9. LEGISLATIVE PROGRAM. Rep. Boggs announced that H. R. 10050, to temporarily increase the public debt limit, will be considered on Tues., and H. R. 8399, the Manpower Development and Training Act of 1962, will be considered on Wed. p. 2035
10. ADJOURNED until Mon., Feb. 10. p. 2069

SENATE

11. FARM PROGRAM. Sen. Humphrey commended the Administration's farm program, expressed pleasure over recent favorable editorial comment which "speak highly for the President and Secretary of Agriculture Orville Freeman," and inserted several items commending the farm program. pp. 2106-7
Sen. Keating criticized the Administration's farm program, particularly the proposed dairy program, stated that "Farmers in my State who produce large amounts of milk, vegetables, and fruit were very much disappointed with the President's farm message," and urged establishment of a bipartisan commission to study the agricultural situation. pp. 2135-6
Sen. Morse inserted a resolution of the Riverview Farmers Union No. 113 of Scio, Oreg., commending the Administration's farm program. pp. 2151-2
12. FORESTRY. Sen. Stennis reviewed and commended the research program of the Forest Service, expressed disappointment over the estimates in the 1963 budget for forest research, and stated that he would propose an increase for fiscal year 1963 of \$10,555,000 over the 1962 appropriation for forest research. Sens. Engle, Humphrey, Metcalf, Ellender, and Long, La., commended Sen. Stennis' remarks. pp. 2095-2102
Sen. Morse commended the program of loans to small forest products processors to enable them to finance the construction of primary access roads under timber sales contracts and praised the "Forest Service and the SBA ... for the vigor with which they have proceeded to place this program into effect." pp. 2140-1

ADULT EDUCATION

Committee on Education and Labor: In a joint meeting of the Select Subcommittee on Education and the General Subcommittee on Labor testimony was received from public witnesses on H.R. 10143, the proposed Adult Literacy Act of 1962.

Also in a joint meeting of the same subcommittees on Wednesday, February 14, on the same bill testimony was received from Wilbur J. Cohen, Assistant Secretary of Department of Health, Education, and Welfare; Sterling McMurrin, Commissioner of Education; Arthur J. Goldberg, Secretary of Labor; Thomas McCoerin, of the National Education Association; and Robert Luke of NAPSAE.

FAIR LABOR STANDARDS

Committee on Education and Labor: On Tuesday, February 13, the Special Subcommittee on Labor received an executive briefing by Clarence C. Lundquist, Administrator, Wage and Hour and Public Contracts Division, Department of Labor, on the administration of the Fair Labor Standards Act.

PUBLIC LANDS

Committee on Interior and Insular Affairs: The Subcommittee on Public Lands heard departmental witnesses testify on H.R. 7788, and related bills, to authorize the classification, segregation, lease, and sale of public land for urban, business, and occupancy sites and to repeal obsolete statutes. No final action was taken on this bill but the subcommittee voted to favorably report to the full committee the following bills:

H.R. 9097, to authorize the Secretary of the Interior to sell certain public lands in Idaho, amended;

H.R. 9273, to repeal obsolete laws relating to military bounty land warrants and to provide for cancellation of recorded warrants, amended;

H.R. 8030, to amend the "Admittance Act" of Washington State to authorize the use of certain funds for the construction of State charitable, educational, penal, or reformatory institutions; and

H.R. 9822, to provide that lands within the exterior boundaries of certain national forests may be added to the national forest.

On Tuesday, February 13, the Subcommittee on Public Lands heard departmental and public witnesses on H.R. 9822, to provide that lands within the exterior boundaries of certain national forests may be added to the national forest; and H.R. 8030, to amend the "Admittance Act" of Washington State to authorize the use of certain funds for the construction of State charitable, educational, penal, or reformatory institutions. Representative Hansen (author of H.R. 8030) was also heard on her bill.

MIGRANT FARMWORKERS' HEALTH

Committee on Interstate and Foreign Commerce: The Subcommittee on Health and Safety concluded hearings on H.R. 8882, to authorize grants for health clinics for domestic migratory farmworkers, by hearing public witnesses.

INDUSTRIAL GAS SALES

Committee on Interstate and Foreign Commerce: On Wednesday, February 14, the Subcommittee on Communications and Power concluded hearings on H.R. 6949, to amend Natural Gas Act regarding Federal Power Commission authority over industrial gas sales, and voted to report the bill favorably to the full committee. Prior to this action the subcommittee heard testimony of FPC Chairman Joseph C. Swidler and public witnesses.

BROADCASTING LIMITATION

Committee on Interstate and Foreign Commerce: On Tuesday, February 13, the Subcommittee on Communications and Power concluded hearings on H.R. 8210, to amend the Communications Act of 1934 relating to clear channel stations, after hearing Newton Minow, Chairman of the Federal Communications Commission, and public witnesses.

CHILD HEALTH—HEW SECRETARIES

Committee on Interstate and Foreign Commerce: On Tuesday and Wednesday, February 13 and 14, the Subcommittee on Health and Safety held public hearings on H.R. 8398, to provide for the establishment of an Institute of Child Health and Human Development, and S. 2073, to authorize two additional Assistant Secretaries in the Department of Health, Education, and Welfare, and received testimony from officials of Health, Education, and Welfare Public Health Departments, National Institutes of Health, doctors from various medical centers and universities, and private physicians.

MANPOWER UTILIZATION

Committee on Post Office and Civil Service: On Wednesday, February 14, the Subcommittee on Manpower Utilization heard Carlisle P. Runge, Assistant Secretary of Defense for Manpower, and several of his assistants on the manpower utilization program of the Government.

The subcommittee will next meet on Monday, February 19, on the same subject with Air Force representatives scheduled to be heard.

PUBLIC WELFARE AMENDMENTS

Committee on Ways and Means: On Tuesday, February 13, the committee heard public witnesses on H.R. 10032,

to extend and improve the public assistance and child welfare services programs of the Social Security Act.

On Monday, February 19, the committee will resume

consideration in executive session of the committee print of the tax bill as modified by the recent tax decisions of the committee.

BILL SIGNED BY THE PRESIDENT

New Law

(For last listing of public laws, see DIGEST, p. D65, February 5, 1962)

H.J. Res. 612, making supplemental appropriations for the Veterans' Administration for fiscal year 1962. Signed February 13, 1962 (P.L. 87-404).

COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 16

(All meetings are open unless otherwise designated)

Senate

Committee on Appropriations, subcommittee, to continue its hearings on fiscal 1963 budget estimates for the Defense Establishment, to hear Assistant Secretary of Defense (Comptroller) Hitch, 10 a.m., 1224 New Senate Office Building.

Committee on Government Operations, to continue its hearings on S. Res. 288, disapproving Reorganization Plan No. 1 of 1962, which plan would create a Department of Urban Affairs and Housing, 10:30 a.m., 3302 New Senate Office Building.

House

Committee on Armed Services, executive, on military posture briefings and H.R. 9751, to authorize the procurement of aircraft, missiles, and naval vessels, 10 a.m., 313-A Old House Office Building.

Committee on Education and Labor, joint meeting of the Select Subcommittee on Education and the General Subcommittee on Labor on H.R. 10143, the proposed Adult Literacy Act of 1962, 10 a.m., 429 Old House Office Building.

Committee on Foreign Affairs, Subcommittee on State Department Organization and Foreign Operations, executive meeting to receive further testimony on the 1963-foreign buildings program, 10:30 a.m., G-3 Gallery floor, Capitol.

Committee on Interstate and Foreign Commerce, Subcommittee on Communications and Power on various communication bills, 10 a.m., 1334 New House Office Building.



Congressional Record

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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
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Issued February 23, 1962
For actions of Feb. 21 and 22, 1962
87th-2d, Nos. 25 and 26

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HIGHLIGHTS: See page 6.

HOUSE - FEBRUARY 21

1. HOUSING. By a vote of 264 to 150, agreed to without amendment H. Res. 530, disapproving Reorganization Plan No. 1 of 1962 to create a Department of Urban Affairs and Housing. pp. 2403-47
2. FARM PROGRAM. Rep. Laird criticized the proposed Food and Agriculture Act of 1962, saying that it "is an interesting, if not fantastic, approach." He made specific reference to the milk provisions of the bill. p. 2463
Rep. Short criticized the Administration's farm program for wheat, saying that the bill would "provide for a complete regimentation of the wheat producer, or else." pp. 2465-6
3. MILK. Rep. Seely-Brown discussed H. J. Res. 613, to continue for an additional nine months the current support price for milk and butterfat, saying, "Stripped to its essentials, this resolution asks the Congress to shoulder the blame for untimely and unwise increases in dairy price support levels that were made by the administration in 1961." p. 2465

4. FEED GRAINS. Rep. Cooley discussed the success of the 1961 feed grains program, saying, "We may all feel the pride of accomplishment," and inserting a USDA report, "The 1961 Feed Grain Program." pp. 2467-70
 5. CENTENNIAL. Rep. Cooley inserted a "review of the services and accomplishments of USDA's first century." pp. 2470-2
 6. SCHOOL LUNCH PROGRAM. The Education and Labor Committee voted to report (but did not actually report) H. R. 8962, to revise the formula for apportioning cash assistance funds among the States under the National School Lunch Act. p. D103
 7. PROPERTY. Received from GSA a proposed bill "To amend section 3470 of the Revised Statutes to authorize the heads of departments and independent agencies to appoint agents to bid on behalf of the United States, at sales, on execution at the suit of the United States, of lands or tenements of a debtor"; to Government Operations Committee. p. 2473
 8. FORESTRY. The "Daily Digest" states that the Interior and Insular Affairs Committee "agreed to a committee resolution offering no objection to a proposed land withdrawal in Tonto National Forest, Ariz." p. D104
 9. LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendments H. R. 9097, to authorize the Secretary of the Interior to sell certain public lands in Idaho. p. D104
 10. TERRITORIES. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 10063, to provide for appointment of acting secretaries for Guam and the Virgin Islands under certain conditions. p. D104
 11. LEGISLATIVE PROGRAM. Rep. Albert announced that H. R. 8399, the Manpower Development and Training Act, will be considered on Tues., Feb. 27. p. 2448
- SENATE - FEB. 21
12. FARM PROGRAM. Sen. Robertson contended that "rigid price supports" have resulted in "an unmanageable surplus of certain farm products, a strict regimentation of our farmers... and a very unsatisfactory return to our farmers as a whole," and inserted an editorial on "how the administration is now proposing in the pending farm bill to put our farm program completely under Government control." pp. 2487-8
Sen. Keating urged adoption of his proposal for the establishment of a Joint Congressional Study Commission^{on} Agriculture to study the farm program and inserted an article supporting his proposal and criticizing proposals for marketing orders for poultry. pp. 2516-7
 13. SOIL CONSERVATION. Sen. Hart inserted a resolution adopted by the National Association of Soil Conservation Districts commending Secretary Freeman "for the recognition he has afforded to the soil conservation district movement during his first year in office," and the address by the Secretary before the 16th annual convention of the Association in Philadelphia on Feb. 6, 1962. pp. 2528-30
 14. FOREIGN TRADE. Sen. Javits urged that an Advisory Committee on Trade Policy be included in new foreign trade legislation and inserted several articles discussing foreign trade. pp. 2490-3

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only
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Issued March 1, 1962
For actions of February 28, 1962
87th-2d, No. 29

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HIGHLIGHTS: Rep. Quie criticized proposed dairy program. House passed manpower training bill. Rep. Murray introduced pay bill.

HOUSE

MANPOWER TRAINING. Passed with an amendment S. 1991, the proposed Manpower Development and Training Act after substituting the language of a similar bill, H. R. 8399, as amended (pp. 2777-2803, 2805-7, 2811, 2811-2). Conferees were appointed (p. 2803). Prior to passage of S. 1991, passed by a vote of 354 to 62 a similar bill, H. R. 8399, after agreeing to an amendment in the nature of a substitute by Rep. Holland. As passed the bill includes provisions as follows:

Provides that the Secretary of Labor shall evaluate the impact of automation on the Nation's human resources and develop techniques which will predict the potential impact in advance; appraise manpower development efforts to meet foreseeable manpower needs; promote information concerning manpower; and arrange for general research and investigation to further the purpose of the program. Requires the Secretary of Labor to develop information regarding skill requirements, job opportunities, labor supply, and employment trends for use in performing training, counseling and placement activities under the program. Requires the Secretary of Labor to promote the development of training programs designed to qualify for employment persons who cannot reasonably be expected to secure full-time employment without such training. Provides for a program of testing, counseling, selection, training and placement of unemployed or underemployed persons. Authorizes Federal payments to States to pay weekly Federal training allowances to persons undergoing training for periods not to exceed

52 weeks. Requires the Secretary of Labor to develop programs for on-the-job training and to cooperate with the Secretary of Health, Education, and Welfare in coordinating on-the-job training with vocational training programs. Authorizes agreements with States to provide training or retraining of persons under this program by State vocational education agencies. Requires the Secretary of Labor to use available services or facilities of other agencies. Provides that funds appropriated for this program may be transferred between departments and agencies. Requires that no training program financed in whole or part by the Federal Government under the bill is to be approved unless it is apparent that neither the State nor the locality where the training is carried out has reduced or is reducing its own level of expenditures for vocational education and training, including programs under provisions of the Smith-Hughes Act and titles I, II, and III of the Vocational Education Act of 1946, except for reductions which are unrelated to the provisions or purposes of this bill.

2. FARM LABOR. The Select Subcommittee on Labor of the Education and Labor Committee voted to report to the full committee the following bills: p. D123
 - S. 1124, to provide a program of Federal financial assistance to the States to improve education opportunities for migratory workers and their families;
 - S. 1126, to provide for the establishment of a system of Federal registration for farm labor contractors (or crew leaders) of migratory farm workers;
 - S. 1123, to amend the Fair Labor Standards Act so as to extend its provisions to certain children employed in agriculture; and
 - S. 1132, to provide for the establishment of a National Advisory Council on Migratory Labor to advise the President and Congress on all matters relating to migratory agricultural labor.
3. FORESTRY. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 9822, to provide that lands within the exterior boundaries of national forests acquired under Sec. 8 of the Taylor Grazing Act may be added to the national forests. p. D123
4. RECLAMATION. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment H. R. 529, to authorize the construction of the Mann Creek reclamation project, Idaho, and S. 2008, to modify the authorization for construction of the Spokane Valley reclamation project. pp. D123-4
5. PUBLIC LANDS. The Interior and Insular Affairs Committee reported with amendment H. R. 9097, to authorize the Secretary of Interior to sell certain public lands in Idaho (H. Rept. 1393). p. 2818
6. FARM PROGRAM. Rep. Quie criticized the dairy provisions of the proposed farm bill as being too stringent and stated that "any of the present problems which would be solved would be dwarfed compared to the great problems that would be created." p. 2810
7. INSPECTION; RESEARCH. The Subcommittee on Inter-American Affairs of the Foreign Affairs Committee reported to the full committee H. R. 9883, to authorize construction of a toll bridge across the Rio Grande near Los Indios, Tex. p. D123
8. TARIFF CLASSIFICATION. The "Daily Digest" states that the Ways and Means Committee "directed the chairman to introduce a clean bill in lieu of H. R. 9189, the Tariff Classification Act of 1961." p. D124

AUTHORIZING THE SECRETARY OF THE INTERIOR
TO SELL CERTAIN PUBLIC LANDS IN IDAHO

FEBRUARY 28, 1962.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mrs. FROST, from the Committee on Interior and Insular Affairs,
submitted the following

R E P O R T

[To accompany H.R. 9097]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 9097) to authorize the Secretary of the Interior to sell certain public lands in Idaho, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, line 5, strike out the words "appraisal or otherwise," and insert in lieu thereof the words "appraisal,".

Page 1, line 11, after the word "lands" add the words "are not within the boundaries of a National Forest or other Federal reservation and".

PURPOSE

H.R. 9097 will authorize the Secretary of the Interior to sell at not less than fair market value certain public lands in Idaho that were omitted from surveys made by the United States in the 1870's.

NEED

In the late 1870's public land surveys in Idaho were extended to the banks of the Snake River. The committee is advised, however, that there are many stretches of land along the banks of the Snake River, as well as many islands in the river, that were omitted from the Government surveys. There is no information available as to the reason for the omissions; but the committee is convinced that there are in fact many areas which are public domain and should have been

surveyed as such that were not depicted on the original plats as being public lands.

Most of the land along the Snake River is privately held and was acquired under patents based on the above-mentioned surveys of the late 1870's. However, occupants of some of the areas mentioned above have found that, although they have improved and cultivated the land and even paid taxes thereon, they do not have title to all of the occupied property. It appears that the lands omitted from the surveys are primarily along those portions of the Snake River, including both the South Fork and Henry's Fork branches, upstream from American Falls in Bingham, Bonneville, Jefferson, Madison, and Fremont Counties, Idaho. Recent surveys by the Bureau of Land Management have resulted in some of the lands, omitted from previous surveys, being declared as public land subject to the general public land laws.

Under existing law there is no procedure by which the claims of occupants can be evaluated and an absolute preference given to those who, believing in good faith that they had title, have occupied the land and improved it over the years.

Accordingly, H.R. 9097 would authorize the Secretary of the Interior to sell "omitted lands" in the vicinity of the Snake River or any of its tributaries and provide a preference right of purchase to any citizen who, in good faith, under color of title or claim as a riparian owner prior to March 30, 1961, had placed valuable improvements on the land, reduced it to cultivation, or occupied it. Similar action by ancestors or predecessors in title would also permit one to qualify for a preference. Lands that have been appropriated by a settler or entryman under the public land laws, or are used and occupied by Indians claiming by reason of aboriginal rights, or are eligible for an allotment under the laws pertaining to allotments on the public domain, are excluded. Further, the bill provides for reservation to the United States of all coal, oil, gas, and other minerals subject to leasing under the Mineral Leasing Act. The Secretary, in addition, has authority to reserve for the public right of access and such other reservations as may be indicated in the public interest in order to preserve public recreational values in the lands.

DISCUSSION

The term "omitted public lands" is understood by the committee to refer only to erroneously meandered land along a river or a stream. As a result, the land between the established survey line and the river or stream is "omitted" from the final plat. The committee was informed that not only did the meandered lines not follow the high waterlines of the Snake River and its tributaries but that, since the survey was made, the river has to some extent altered its course.

In excluding from the purview of the act those lands that are used and occupied by Indians claiming by reason of aboriginal rights, the committee does not in any way recognize that there are, in fact, aboriginal rights. However, it is considered advisable to provide for this exclusion in order to maintain whatever rights the Indians may be able to establish in accordance with general law governing use and occupation of land by Indians.

The committee understands that the term "citizen," as used in section 2 of H.R. 9097, is intended to and does include corporations, partnerships, firms, or other legal entities. Accordingly, the preference for purchase would be extended to any person or firm that would qualify under the provisions of the act.

COMMITTEE AMENDMENTS

The first committee amendment is designed to assure payment of fair market value for any lands sold under the act by requiring that such value be determined by the Secretary of the Interior by appraisal only.

The committee also adopted an amendment to exclude from the purview of the bill such lands, if any, that may be within the boundaries of a national forest or other Federal reservation. While it is not known that any of the lands are in fact within Federal reservations the committee amendment will insure retention of lands required for a Federal purpose.

COST

It is not anticipated that there will be any increase in budgetary requirements as a result of enactment of H.R. 9097.

DEPARTMENTAL RECOMMENDATIONS

The Department of the Interior has recommended enactment of the bill and the Department of Agriculture indicated no objection to enactment, as set forth in their letters of October 23, 1961, and January 18, 1962, respectively, set forth below:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 23, 1961.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. ASPINALL: Your committee has requested a report on H.R. 9097, a bill to authorize the Secretary of the Interior to sell certain public lands in Idaho.

We recommend that the bill be enacted.

The bill would authorize the Secretary of the Interior to sell at not less than their fair market value certain lands in the State of Idaho which have been or may be found upon survey to be omitted public lands of the United States. Since such sales by the Secretary are at his discretion we believe any Federal needs for the land are adequately protected.

The lands which have been identified as omitted public lands are in some cases improved or occupied by private parties who, we understand, derive their occupation and possession from various sources. Some adjoining owners are claiming the abutting "omitted" lands by virtue of entry of riparian lands, or by purchase or inheritance where such alleged claim comes from instruments describing the omitted lands, or where there are records of tax payments on the omitted lands. In other instances alleged claims are not based on any instrument of conveyance. Still others would base their claim on a purchase of the

omitted lands from prior adjoining owners who are claiming only on the basis of having purchased a riparian right.

Our Bureau of Land Management indicates that it is aware of the omitted land situation in this area along the Snake River, including both of its branches, from American Falls on the south, thence upstream throughout the extent of any omitted lands. The definition of the area would take in all of the Snake River, both the South Fork and Henry's Fork, along which surveys have been made or are planned, in Bingham, Bonneville, Jefferson, Madison, and Fremont Counties. There are also other areas which may be involved.

Under existing procedures upon acceptance of the plat of survey and publication in the Federal Register of the opening of the lands, the omitted lands become subject to the public land laws. The provisions of existing law would not, however, enable the Department to resolve all the various claims arising in connection with these lands.

The bill would not apply to land used and occupied by Indians claiming by reason of aboriginal rights or which are used and occupied by Indians who are eligible for an allotment under the laws pertaining to allotments on the public lands.

Section 2 of the bill would provide a preference right to purchase to any citizen who in good faith under color of title or claiming as a riparian owner has, prior to March 30, 1961, placed valuable improvements on, reduced to cultivation, or occupied any of the lands included in the bill, or whose ancestors or predecessors in interest have taken such action. The fixing of the cutoff date at March 30, 1961, will preclude any possible windfalls to latecomers.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 18, 1962.

HON. WAYNE N. ASPINALL,
*Chairman, Interior and Insular Affairs Committee,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: We desire voluntarily to submit this report on H.R. 9097, a bill to authorize the Secretary of the Interior to sell certain public lands in Idaho.

We would have no objection to enactment of this bill if it is amended as hereinafter recommended.

The bill would authorize the Secretary of the Interior, in his discretion, to sell at not less than fair market value any lands in the State of Idaho in the vicinity of the Snake River or any of its tributaries which have been or may be found upon survey to be omitted public lands of the United States. Lands which are lawfully appropriated by a qualified settler or entryman under the public land laws or used and occupied by Indians claiming by reason of aboriginal rights or Indians eligible for allotments of lands from the public domain may not be sold. Lands claimed by citizens of the United

States under color of title or as a riparian owner and which they have placed valuable improvements upon, reduced to cultivation, or established occupancy may be purchased by the claimant at fair market value.

The drainage of the Snake River in Idaho includes much land within national forests. This is particularly true of such major tributaries as the Salmon River, Clearwater River, Payette River, and other major streams. The "omitted lands" with which H.R. 9097 deals characteristically would be lands along the banks of streams of material size and commonly would occupy flats and low-lying areas adjoining such streams. Many of such lands could have high potential value for public use in connection with these streams, for the preservation of the esthetics of the shorelines of the streams, or for the propagation of wildlife. Such lands within national forest boundaries should not be sold. To clarify that the bill does not contemplate sale of any such lands that might be within the boundaries of the national forest, we recommend that H.R. 9097 be amended as follows:

Page 1, line 11: Insert after the word "lands" the words "are not within the boundaries of a national forest or other Federal reservation and".

The Bureau of the Budget advises that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary*.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends enactment of H.R. 9097 as amended.



87TH CONGRESS
2^D SESSION

H. R. 9097

[Report No. 1393]

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 1961

Mr. HARDING introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

FEBRUARY 28, 1962

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To authorize the Secretary of the Interior to sell certain public lands in Idaho.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of the Interior, in his discretion, is hereby
4 authorized to sell at not less than their fair market value,
5 as determined by the Secretary by ~~appraisal or otherwise,~~
6 *appraisal*, taking into consideration any reservations speci-
7 fied by the Secretary pursuant to sections 3 and 4 of this
8 Act, any of those lands in the State of Idaho, in the vicinity
9 of the Snake River or any of its tributaries which have been,
10 or may be, found upon survey to be omitted public lands of
11 the United States, which lands *are not within the boundaries*

1 *of a national forest or other Federal reservation and* are not
2 lawfully appropriated by a qualified settler or entryman
3 claiming under the public land laws, or are not used and
4 occupied by Indians claiming by reason of aboriginal rights
5 or are not used and occupied by Indians who are eligible for
6 an allotment under the laws pertaining to allotments on the
7 public domain.

8 SEC. 2. Any citizen of the United States who, in good
9 faith under color of title or claiming as a riparian owner has,
10 prior to March 30, 1961, placed valuable improvements
11 upon, reduced to cultivation, or occupied any of the lands
12 subject to the operation of this Act, or whose ancestors or
13 predecessors in title have taken such action, shall, if such
14 lands be offered for sale by the Secretary, have a preference
15 right to purchase such lands at their fair market value
16 (which shall not include any increased value resulting from
17 the development or improvement thereof for agricultural or
18 other purposes by the applicant or his predecessors in inter-
19 est) under such rules and regulations as the Secretary may
20 prescribe for the operation of this Act.

21 SEC. 3. All patents issued under the provisions of this
22 Act shall be subject to and contain a reservation to the
23 United States of all the coal, oil, gas, oil shale, phosphate,
24 potash, sodium, native asphalt, solid and semisolid bitumen,
25 and bituminous rock (including oil-impregnated rock or

1 sands from which oil is recoverable only by special treat-
2 ment after the deposit is mined or quarried), together with
3 the right to prospect for, mine, and remove the same.

4 SEC. 4. The Secretary, in his discretion, may reserve
5 in patents issued under this Act the right of access to the
6 public through the lands and such other reservations as he
7 may deem appropriate and consonant with the public interest
8 in preserving public recreational values in the lands.

9 SEC. 5. The Secretary is hereby authorized to prescribe
10 all necessary rules and regulations for administering the pro-
11 visions of this Act, including, without limitation, the deter-
12 mination of conflicting claims arising hereunder.

87TH CONGRESS
2D Session

H. R. 9097

[Report No. 1393]

A BILL

To authorize the Secretary of the Interior to
sell certain public lands in Idaho.

By Mr. HARDING

SEPTEMBER 7, 1961

Referred to the Committee on Interior and Insular
Affairs

FEBRUARY 28, 1962

Reported with amendments, committed to the Com-
mittee of the Whole House on the State of the
Union, and ordered to be printed

March 19, 1962

15. PERSONNEL; CLAIMS. Passed without amendment H. R. 10357, to provide for the settlement of claims against the U. S. by members of the uniformed services and civilian employees for damage to, or loss of, personal property incident to their service. pp. 4044-6
16. LANDS. Passed as reported H. R. 9097, to authorize the Secretary of the Interior to sell certain public lands in Idaho (p. 4046). Rep. Harding favorably discussed this bill. pp. 4102-3
17. BRIDGES. Passed without amendment H. R. 8982, authorizing a bridge across the Rio Grande at or near Heath Crossing, Tex. p. 4047
Passed without amendment H. R. 9883, to authorize a toll bridge across the Rio Grande near Los Indios, Tex. pp. 4047-8
18. PERISHABLE COMMODITIES. The Subcommittee on Domestic Marketing of the Agriculture Committee voted to report to the full committee with amendments S. 1037, to amend the provisions of the Perishable Agricultural Commodities Act regarding fees, oral hearings, and relicensing of persons under the Act. p. D187
19. CONSERVATION. The Subcommittee on Conservation and Credit of the Agriculture Committee voted to report to the full committee H. R. 9290, to amend the Soil Conservation and Domestic Allotment Act and the Agricultural Adjustment Act so as to make Federal administration of the ACP permanent. p. D187
20. COOPERATIVES. The Subcommittee on Conservation and Credit of the Agriculture Committee voted to report to the full committee H. R. 10374, to reduce the revolving fund available for subscriptions to the capital stock of the banks for cooperatives. p. D187
21. ELECTRIFICATION. The Subcommittee on Conservation and Credit of the Agriculture Committee voted to report to the full committee H. R. 10708, to amend section 203 of the Rural Electrification Act of 1936, as amended, with respect to communication service for the transmission of voice, sounds, signals, pictures, writing, or signs of all kinds through the use of electricity. p. D187
22. APPROPRIATIONS. Received from the President supplemental appropriation estimates for 1962 of \$25 million for disaster relief and \$10 million for the Small Business Administration (H. Doc. 365). p. 4106
23. SOIL BANK. Received from Agriculture a report on the 1961 conservation reserve program. p. 4106
24. SUGAR. Rep. Harding said "one of the most important pieces of farm legislation which will be considered by this Congress is the revision and extension of the Sugar Act," and inserted a legislative program of the domestic sugar industry and a letter to the President. pp. 4101-2
25. TEXTILES. Rep. Alexander discussed H. R. 9900, the proposed Trade Expansion Act of 1962, and inserted an article, "Lack of Proper Import Quotas Hurts the American Textile Workers." pp. 4077-8
26. TRADE; ADMINISTRATIVE PROCEDURE. Rep. Scherer criticized the Federal Trade Commission's investigation of Kroger Co., and urged an investigation of administrative agency procedures. pp. 4075-7

ITEMS IN APPENDIX

27. FARM PROGRAM. Rep. Findley inserted an editorial, "Imitation Hams or Imitation Dollars?", stating that the court threw out an order by Secretary Freeman "against the meatpackers." pp. A2057-8
Extension of remarks of Rep. Westland stating "American farmers want the Government to get out of their business," and inserting a constituent's letter critical of the farm bill. p. A2047
28. SOIL CONSERVATION; RESEARCH. Extension of remarks of Sen. Wiley inserting resolutions of the Wisc. Assoc. of Soil and Water Conservation District Supervisors recommending an "adequate appropriation for the Agricultural Research Service in the field of soil and water conservation" and that all "longtime farm and ranch plans, as proposed in bill H. R. 10010 ... be carried out through the medium of soil and water conservation districts." pp. A2047-8
Rep. Younger inserted an article critical of the Soil Conservation Service, "This Bureau Conserves Its Money To Build a Bureau." p. A2056
29. RECREATION. Sen. Anderson inserted an address by M. Frederik Smith, a member of the Outdoor Recreation Resources Review Commission, "A Short Look Behind the Recreation Report." pp. A2049-52
Rep. Westland inserted a letter opposing the expansion of Federal activities in the field of recreation. p. A2058
30. WATER POLLUTION. Extension of remarks of Rep. Schwengel expressing concern over water pollution problems and inserting an article on this subject. pp. A2064-5
31. ELECTRIFICATION. Extension of remarks of Rep. Van Zandt inserting his recent address outlining the background of REA and explaining the role of atomic energy in the field of electrification. pp. A2065-6
32. DAIRY INDUSTRY. Extension of remarks of Rep. Quie inserting an article, "Politics and Supports," discussing effects of the rejection by the House Agriculture Committee of a resolution which would have frozen the price supports of milk at the present level. p. A2067
Extension of remarks of Reps. Quie and Nelsen inserting two Minn. Holstein Breeders Convention resolutions and stating that they "voice the opposition" of people in the dairying industry to the system of dairy quotas proposed by the administration. pp. A2071, A2079
33. HEALTH. Extension of remarks of Rep. Farbstein expressing his approval of H. R. 10606, to extend and improve the public assistance and child welfare service programs of the Social Security Act. p. A2082
34. MEAT INSPECTION. Extension of remarks of Rep. Sullivan explaining the provisions of her proposed bill to amend the Meat Inspection Act to extend its coverage in certain areas. pp. A2084-5

BILLS INTRODUCED

35. EDUCATION. H. R. 10807, by Rep. Mathias, making supplemental appropriations for the fiscal year ending June 30, 1962, for payments to local educational agencies under Public Laws 815 and 874, 81st Congress.

organization of which he may be a member, if warranted, or if his suspension continues. The Department of Defense is the largest shipper of household effects which creates a highly competitive field, thereby making this system of suspensions effective.

Of recent interest is the decision of the Interstate Commerce Commission to reopen its rulemaking proceedings. One of these under consideration concerns the liability aspect in MC-19. It has been proposed that the minima be changed from 30 to 60 cents per pound per article and that there be full liability without regard for the minima for the first \$500 loss or damage. The Department of Defense strongly supports this proposal. It has been speculated that this change may eliminate as much as 98 percent of the number of claims now received by the military. The Department of Defense believes that this change in liability would require closer policing by the carrier and would more nearly approach common law carrier liability at a time now when the carriage of household effects industry does not need the protection formerly accorded it. The industry, however, opposes the change for the reason that it believes that this will increase the rates. The conflict, therefore, is reduced to a basic concept of increased liability will improve service versus increased liability will raise rates. The Department of Defense believes that there will be no appreciable increase in rates in the case of responsible carriers. If this rule were to be changed, it is expected that the Department of Defense will then follow the new 60-cent ruling as it has done in the past with regard to the present 30-cent ruling.

The Defense Traffic Management Service is provided a "tender of charges" by the carrier which operates as a contract offer. Copies of these tenders are provided transportation officers in the area in which the carrier is licensed to operate. The transportation officer is bound to use the carrier which offers the lowest rate and at the same time provides satisfactory service. The shipment is made on a Government bill of lading, the form for which is prescribed by GAO.

In the case of household effects it is customary for a Government employee to inspect the shipment in advance and estimate the weight and cubic foot of space required. During the packing process it is customary, where possible, for a Government employee to inspect the carrier's methods to prevent abuses, such as overpacking with materials, so as to increase the weight and cubic footage.

Upon arrival of the shipment the owner is required to inspect the same and make a notation concerning any damage or loss on the receipt he issues the carrier. By regulations he is required to make a demand upon the carrier for the cost of repairs, replacement value, or fair market value of the article, as the case may be before submitting a claim to his military service. If a satisfactory settlement is not received from the carrier, he may submit a claim to the service of which he is a member for his loss. Any claim adjudicated by a military service takes into consideration the amount recovered from the carrier. If the carrier fails to make a settlement, the military service, upon settlement of a claim, is subrogated to the rights of the individual and recovery attempts from the carrier are initiated. In this way the service member is not required to accept a long delay in the settlement of his claim which is a definite morale factor.

Attention is invited to the fact that shipment by motor carrier of articles other than household effects is not governed by MC-19. For this reason the Government uses various types of contracts some of which impose full liability on the carrier while others, notably in the case of very expensive items, have

clauses providing for greatly reduced liability.

Sincerely yours,

F. R. DOWNS,
Commander, U.S. Navy.

EXCERPTS FROM DECISIONS OF THE COMPTROLLER GENERAL IN OPINION B-138736 (38 COMP. GEN. 768)

At page 771:

"In this situation, in the absence of a conclusive judicial determination to the contrary, we believe the interest of the Government would best be served by using, where advantageous, carrier's tenders of reduced rates conditioned upon limited liability."

At page 773:

"In the future, where it is determined that it would be advantageous to the Government to accept and use section 22 quotations, whether made heretofore or hereafter, offering reduced rates conditioned upon released valuations, we suggest that Government shipping officers be instructed to comply with any requirements in the quotations for declaring the released valuation of the goods in writing on the bills of lading so that the Government may have the advantage of the lower rates, unless in a particular instance the needs of the Government are such as to require shipments without regard to the lower rate based upon the released valuation."

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, March 12, 1962.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CHAIRMAN: The bill H.R. 10357 would extend to other agencies of the Government the authority now vested in the military departments (10 U.S.C. 2732) and the Coast Guard (14 U.S.C. 490) to settle claims for loss of or damage to personal property of members of the Armed Forces or civilian employees of those departments when the loss or damage is incident to their Government service. The bill would repeal 10 U.S.C. 2732 and 14 U.S.C. 490. The following information concerning existing practices and procedures under 10 U.S.C. 2732 so far as they relate to recovery of the loss or damage from common carriers when it is determined that the carrier was responsible for the property lost or damaged has been requested by your committee staff for use in the consideration of H.R. 10357.

Army regulations, representative of other departmental regulations, governing the payment of claims under 10 U.S.C. 2732 of military personnel and civilian employees of the Army for property lost or damaged incident to their service are contained in Army Regulations 25-100, October 1, 1959. Section III of those regulations prescribes the procedure for effecting recovery from third parties, namely, carrier, packer, warehouseman, or any commercial concern other than a carrier who is responsible for the loss or damage of the property. When it is determined that the damage to or loss of property has occurred under circumstances in which the carrier is responsible, the claimant is required to make a demand in writing to the carrier under the Government bill of lading or contract who handled the shipment. Any amount recovered from the carrier is deducted from amounts otherwise allowable under the regulations. The claimant is required to assign to the United States his right, title, and interest in any claim he may have against any carrier, insurer, or other party, arising out of the incident on which the claim against the United States is based. While negligence ordinarily is not a factor in determining a carrier's liability for any loss,

damage, or injury to such property, the liability is, of course, limited by the terms of the bill of lading. See section 20(11) of title 49, United States Code, and our decision of May 18, 1959, B-138736, 38 Comp. Gen. 768, copy enclosed. Generally, however, in the absence of contract, the liability of a warehouseman for property lost or damaged is governed by local statute and the Uniform Warehouse Receipts Act. A warehouseman ordinarily is not held responsible for loss of, or injury to, the goods occurring without negligence on his part. See 93 C.J.S. Warehousemen and Safe Depositaries, section 30a.

When the Department concerned pays under 10 U.S.C. 2732 and is subsequently unable to effect recovery from the responsible carrier, after reviewing the record and affirming the carrier's liability, the matter is generally referred to our Transportation Division for the purpose of effecting collection, also following an independent determination of carrier liability.

In addition to the above considerations, the following is suggested for the consideration of the committee. Section 2(1) of the bill defines the term "Agency" as including, among other things, the executive departments and independent establishments. While it would seem that under the provisions of 5 U.S.C. 933a employees of the General Accounting Office would fall within the term "Agency" as defined in section 2(1), this is not entirely clear and we suggest that the bill be amended to specifically include the General Accounting Office. Section 3(a) of the bill would authorize the head of each separate department and agency to prescribe regulations governing the payment of claims arising under the bill. Our view is that there should be uniformity in regulations which apply throughout the Government and, therefore, we suggest that section 3(a), lines 9 and 10, page 2 of the bill be amended to read as follows:

"(a) Under such regulations as the President may prescribe, the head of an agency or his designee may settle and * * *"

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

(Mr. LIBONATI asked and was given permission to revise and extend his remarks and include certain communications.)

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Military Personnel and Civilian Employees' Claims Act of 1962".

SEC. 2. As used in this Act—

(1) "Agency" includes an executive department, military department, independent establishment, or corporation primarily acting as an instrumentality of the United States, but does not include any contractor with the United States.

(2) "Uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

(3) "Settle" means consider, ascertain, adjust, determine, and dispose of any claim, whether by full or partial allowance or disallowance.

SEC. 3. (a) Under such regulations as the head of an agency may prescribe, he or his designee may settle and pay a claim arising after the effective date of this Act against the United States for not more than \$6,500 made by a member of the uniformed services under the jurisdiction of that agency

or by a civilian officer or employee of that agency, for damage to, or loss of, personal property incident to his service. If the claim is substantiated and the possession of that property is determined to be reasonable, useful, or proper under the circumstances, the claim may be paid or the property replaced in kind. This subsection does not apply to claims settled before its enactment.

(b) If a person named in subsection (a) is dead, the head of the agency concerned, or or his designee, may settle and pay any claim made by the decedent's surviving (1) spouse, (2) children, (3) father or mother, or both or (4) brothers or sisters, or both, that arose before, concurrently with, or after the decedent's death and is otherwise covered by subsection (a). Claims of survivors shall be settled and paid in the order named.

(c) A claim may be allowed under subsection (a) for damage to, or loss of, property only if—

(1) it is presented in writing within two years after it accrues, except that if the claim accrues in time of war or in time of armed conflict in which any armed force of the United States is engaged or if such a war or armed conflict intervenes within two years after it accrues, and if good cause is shown, the claim may be presented not later than two years after that cause ceases to exist, or two years after the war or armed conflict is terminated, whichever is earlier;

(2) it did not occur at quarters occupied by the claimant within the fifty States or the District of Columbia that were not assigned to him or otherwise provided in kind by the United States; or

(3) it was not caused wholly or partly by the negligent or wrongful act of the claimant, his agent, or his employee.

(d) For the purposes of subsection (c) (1), the dates of beginning and ending of an armed conflict are the dates established by concurrent resolution of Congress or by a determination of the President.

(e) The head of each agency shall report once a year to Congress on claims settled under this section during the period covered by the report. The report shall include for each claim the name of the claimant, the amount claimed, and the amount paid.

SEC. 4. Notwithstanding any other provision of law, the settlement of a claim under this Act is final and conclusive.

SEC. 5. Chapter 163 of title 10, United States Code, is amended, effective two years from the date of this Act, as follows:

(1) Section 2735 is amended by striking out the figure "2732", and the comma after the figure "2733".

(2) The analysis is amended by striking out the following item:

"2732. Property loss: Incident to service; members of Army, Navy, Air Force, or Marine Corps and civilian employees."

(3) Section 2732 is repealed.

SEC. 6. Section 2 of the Act of June 7, 1956, chapter 376 (70 Stat. 255), is repealed.

SEC. 7. Chapter 13 of title 14, United States Code, is amended, effective two years from the date of this Act, as follows:

(1) The analysis is amended by striking out the following item:

"490. Settlement of claims of military and civilian personnel."

(2) Section 490 is repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO SELL CERTAIN LANDS IN IDAHO

The Clerk called the bill (H.R. 9097) to authorize the Secretary of the Interior to sell certain public lands in Idaho.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, in his discretion, is hereby authorized to sell at not less than their fair market value, as determined by the Secretary by appraisal or otherwise, taking into consideration any reservations specified by the Secretary pursuant to sections 3 and 4 of this Act, any of those lands in the State of Idaho, in the vicinity of the Snake River or any of its tributaries which have been, or may be, found upon survey to be omitted public lands of the United States, which lands are not lawfully appropriated by a qualified settler or entryman claiming under the public land laws, or are not used and occupied by Indians claiming by reason of aboriginal rights or are not used and occupied by Indians who are eligible for an allotment under the laws pertaining to allotments on the public domain.

SEC. 2. Any citizen of the United States who, in good faith under color of title or claiming as a riparian owner has, prior to March 30, 1961, placed valuable improvements upon, reduced to cultivation, or occupied any of the lands subject to the operation of this Act, or whose ancestors or predecessors in title have taken such action, shall, if such lands be offered for sale by the Secretary, have a preference right to purchase such lands at their fair market value (which shall not include any increased value resulting from the development or improvement thereof for agricultural or other purposes by the applicant or his predecessors in interest) under such rules and regulations as the Secretary may prescribe for the operation of this Act.

SEC. 3. All patents issued under the provisions of this Act shall be subject to and contain a reservation to the United States of all the coal, oil, gas, oil shale, phosphate, potash, sodium, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), together with the right to prospect for, mine, and remove the same.

SEC. 4. The Secretary, in his discretion, may reserve in patents issued under this Act the right of access to the public through the lands and such other reservations as he may deem appropriate and consonant with the public interest in preserving public recreational values in the lands.

SEC. 5. The Secretary is hereby authorized to prescribe all necessary rules and regulations for administering the provisions of this Act, including, without limitation, the determination of conflicting claims arising hereunder.

With the following committee amendments:

Page 1, line 5, strike out the words "appraisal or otherwise," and insert in lieu thereof the word "appraisal."

Page 1, line 11, after the word "lands" add the words "are not within the boundaries of a national forest or other Federal reservation and".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEALING OBSOLETE LAWS RELATING TO MILITARY BOUNTY LAND WARRANTS AND PROVIDING FOR CANCELLATION OF RECORDED WARRANTS

The Clerk called the bill (H.R. 9273) to repeal obsolete laws relating to military bounty land warrants and to provide for cancellation of recorded warrants.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 457, 473, and 2414-2446, inclusive, of the Revised Statutes, as amended, and the Act of December 13, 1894 (28 Stat. 594), are hereby repealed. Repeal of said laws shall not affect the rights of holders of warrants described in section 2 of this Act, until such rights are extinguished in accordance with said section, to have their warrants receivable in payment or part payment for lands under the Act of December 13, 1894, supra, to assign their warrants pursuant to sections 2414 and 2444 of the Revised Statutes, and to secure a new warrant in lieu of a warrant lost or destroyed pursuant to section 2441 of the Revised Statutes.

SEC. 2. The Secretary of the Interior is hereby authorized and directed to purchase at the rate of \$1.25 per acre from the holders thereof and to cancel all valid unsatisfied military bounty land warrants which were issued pursuant to the laws repealed by section 1 of this Act and which are recorded with the Secretary pursuant to, and under the terms and conditions of, the Act of August 5, 1955 (69 Stat. 534), and the regulations issued thereunder. The Secretary will send his offer to purchase by certified mail to the post office address of the holder of record with the Secretary as of the time the offer is made and will require the holder to surrender the warrant as a condition of payment therefor. If the holder of a warrant, within one year from and after receipt of an offer to purchase from the Secretary, shall fail to surrender his warrant and accept payment therefor as provided for in this section, the warrant shall not thereafter be accepted by the Secretary of the Interior for further recordation under the Act of 1955, supra, or as a basis for the acquisition of lands, or for payment under this section: *Provided*, That if within the one year after receipt of an offer to purchase, the warrant is transferred the transferee shall have the remainder of the one-year period or a period of six months, whichever is the longer, within which to surrender his warrant and accept payment.

SEC. 3. Payments under section 2 of this Act shall be made out of any appropriated funds available to the Secretary of the Interior for expenditure by him.

With the following committee amendment:

Page 2, line 12, strike out the word "certified" and insert in lieu thereof the word "registered."

et for food; for rent, for clothing, and the other necessities of life?

"To compel the elderly citizens to accept an additional outlay of dollars in the form of required benefits is to deny him the American right of free choice and the freedom of independent action."

Dr. Ethel Percy Andrus, national president, American Association of Retired Persons; and national president, National Retired Teachers Association:

"From all that I have observed, heard, or read, it is my opinion that the problem of our aged citizens is an overexaggerated one. Reliable authorities appear to be unanimous in stating that the vast majority of those 65 years and over present no especial problem; they can handle their own situations well or have them handled satisfactorily by those near and dear to them."

"More and more has the State and Federal Governments, at least in appearance, shifted the responsibilities of parents and children from the human to the institution. It would appear that only too often paternalism has been the answer or the escape by which responsibilities have been avoided."

"Please regard the aged as ordinary citizens until such time in the lives of the minority that they require financial care, counseling, hospitalization or basic love. Compel (familial) obligation by law. It is done in the case of dependent children and divorcees. But, above all else, let's not rob the individual of his God-given rights to solve his own problems, to think and act for himself, to be as we all were some time back, rugged and responsible individuals. Let's try to solve our filial responsibilities without dragging into the solution governmental agencies. When the Government assumes all these roles, the knell of doom for our Nation has sounded."

Rt. Rev. Msgr. A. A. Dalton, director of Catholic hospitals, archdiocese of Boston:

"The Forand bill could easily be the forerunner of socialized medicine and one more big step toward the total regimentation of American citizens by their own Government."

"Everyone needs hospital insurance, but the national treasury is not the place to get it. When the Government pays the bill, it will ultimately name the doctor and the hospital."

Dr. E. S. James, editor, Baptist Standard: "The Farm Bureau has long opposed programs which may lead to socialized medicine. The proposal to provide for health care of the aged, whether retired or not, and for survivors entitled to benefits, is a long step in this direction."

Keith Wallace, American Farm Bureau Federation: "We are further opposed to the proposed method of handling medical care through the social security method (King-Anderson) because, by implication and by joint community of interests and aims, it will put into one large class a large and growing group of people (now over 16 million, whose interests and aims become the interest and aims of politicians. Another pressure group will be formed similar to other better known pressure groups in our political economy. The vote of the 65 year old will be vitally important to many office-seekers. Promises are easy for the liberal-minded socialistic legislator. Their organized demands may well spell the doom of the social security system. The proverbial 'straw that broke the camel's back' may in truth be a 'millstone around the neck' of an already bankrupt and unsound financial system."

Respectfully presented for your consideration by your physician constituents of the First North Carolina Congressional District.

PETITIONS TO THE HONORABLE HERBERT BONNER, HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.

As members of Pasquotank, Camden, Currituck, Dare Counties Medical Society,

we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signature of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Signed by Zack D. Owens, M.D., president; Thomas P. Nash, M.D., secretary. Members: J. A. Johnson, M.D.; O. F. Bailey, M.D.; J. S. Shipley, M.D.; F. G. Satters, M.D.; B. D. West, Jr., M.D.; W. Spaeth, M.D.; W. A. Peters, Jr., M.D.; Steve C. Pugh, M.D.; H. R. Thomas, M.D.; F. T. Blanchard, M.D.; Jos. C. Gill, M.D.; John ———, M.D.; C. H. ———, M.D.; Arthur H. Hetzger, M.D.; C. U. Wright, M.D.; M. H. Bailey, M.D.; Thomas M. Horsley, M.D.; R. Scleorr, M.D.; T. Everett Sawyer, M.D.; H. J. Harrell, Jr., M.D.; W. H. Romm, M.D.; and W. W. Harvey, Jr., M.D.

As members of Hertford County Medical Society we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signature of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Signed by Edward T. Viser, M.D., president; L. E. Barnhill, Jr., M.D., secretary. Members: A. A. McLean, M.D.; L. M. Futwell, M.D.; T. E. Banker, M.D.; Joe Lee Frank, Jr., M.D.; J. L. Darden, Jr., M.D.; Archie Y. Eagles, M.D.; Samuel J. Calvert, M.D.; Dan P. Boyett, M.D.; Robert A. Anderson, M.D.; J. Buddy Matheson, M.D.; Geo. H. Wadsworth, M.D.; J. B. Ruffin, M.D.

As members of Gates County Medical Society we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signature of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Signed by John A. Payne, M.D., president. Member: LeRoy Hand, Jr., M.D.

As members of Chowan-Perquimans Counties Medical Society we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signature of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Signed by Frank Wood, M.D., president; Edward G. Bond, M.D., secretary. Members: T. P. Brinn, M.D.; Richard Hardin, M.D.; Robert L. Paxton, M.D.; Archie D. Walker, Jr., M.D.; L. P. Williams, M.D.; R. H. Vaughan, M.D.

As members of Beaufort, Hyde, Martin, Washington, and Tyrrell Counties Medical Society we were collectively aware of the preparation of a letter of fact and information directed to you by Thomas P. Brinn, M.D., in December 1961.

We now individually set forth our signatures of endorsement of said letter representing a petition of the physicians residing in and throughout a county composing a part of the First Congressional District of North Carolina. This the 5th day of February 1962.

Signed by Rueben John, M.D., president; W. J. Highsmith, Jr., M.D., secretary. Members: Clark Rodman, M.D.; Allen H. Moore, M.D.; S. H. Williams, Jr., M.D.; H. L. Stephen-

son, Jr., M.D.; Albert B Hawk, M.D.; A. M. Jones, M.D.; Jon C. Tayloe, M.D.; C. D. Edwards, M.D.; David T. Taylor, M.D.; E. L. Sandy, M.D.; Raeford T. Pugh, M.D.; E. G. Svedin, M.D.; Frank Stallings, M.D.; C. T. Patrick, M.D.; John B. Bonner, M.D.; H. J. Highsmith, Jr., M.D.; Claudies McGowan, M.D.; Earl La Sirpy, M.D.; J. S. Rhodes, Jr., M.D.; J. L. Sweeney, M.D.

SUGAR LEGISLATION

(Mr. HARDING asked and was given permission to extend his remarks in two instances at this point in the RECORD.)

Mr. HARDING. Mr. Speaker, one of the most important pieces of farm legislation which will be considered by this Congress is the revision and extension of the Sugar Act. All five segments of the domestic industry have agreed upon the following 11-point legislative program.

SUGAR LEGISLATIVE PROGRAM OF AMERICAN SUGARBEET INDUSTRY, MAINLAND SUGAR-CANE INDUSTRY, U.S. CANE SUGAR REFINING INDUSTRY, HAWAIIAN SUGAR INDUSTRY, AND PUERTO RICAN SUGAR INDUSTRY

1. Term: The new law would be a 5-year act extending from January 1, 1962, through December 31, 1966.

2. Basic quotas: New basic quotas for domestic areas would be established at a consumption estimate level of 9,700,000 tons. These would be as follows:

Beet area	2,665,000
Mainland cane area	900,000
Hawaii	1,150,000
Puerto Rico	1,200,000
Virgin Islands	15,000

3. Growth: Growth (decrease) over (under) the 9,700,000 level of consumption requirements (consumption estimate minus unallocated amounts and deficits in allocated amounts under section 408) would be divided 67½ percent to domestic continental areas and 32½ percent to foreign areas. The 67½ percent would be shared 75 percent by the domestic beet sugar area and 25 percent by the mainland cane sugar area. If in any year, Hawaii, Puerto Rico, or Virgin Islands, produces more than its basic quota, it may in the following year, upon request, have such quota increased by the amount of such excess: *Provided*, That in no event shall such quota exceed the basic quota (plus growth) under the law before amendment, all such increases being charged to the foreign total. Hawaii's and Puerto Rico's direct-consumption limitations would be 0.342 and 1.5 percent, respectively, of the consumption requirements in lieu of the provisions relating thereto in the present act.

4. New beet growers: A special reserve of up to 20,000 acres, out of the total acreage required to produce the beet quota, would be available each year for the expansion of the industry.

5. Domestic deficits: All domestic deficits would go to foreign areas, with the exception that the excess of Hawaiian deficit over 350,000 tons would go to the beet area.

6. Direct consumption sugar: All foreign sugar would be imported in raw form. The Philippines would be given the option of a larger raw sugar quota in place of their quotas under existing law and the treaty between the United States and the Philippines.

7. Personal history: The law would assure continued use of personal history as a basis for allocating proportionate shares in those sections of the beet area in which personal history now is a basis. No change would be made in those areas in which land history is now the basis for allocating proportionate shares.

8. Liquid sugar quotas: All such quotas would be eliminated except provision would be made to permit continued entry of normal quantities of Barbados-type molasses.

9. Nontransferability of quotas: Foreign countries assigned quotas under the act could fill such quotas only with sugar they produce. No net importing country would be eligible for a quota.

10. Sugar-containing products: The Secretary would be given authority to limit importation of sugar-containing products when such importation would be contrary to the intent of the act.

11. Foreign supplies: Price incentives would be maintained in the act to insure that foreign sugar will be available to the U.S. market in the quantities needed at the times required.

Mr. Speaker, at this time I wish to pay tribute to our domestic sugar industry. The fact that the American sugarbeet industry, mainland sugarcane industry, U.S. cane sugar refining industry, Hawaiian sugar industry, and Puerto Rican sugar industry can work together in an unselfish and reasonable manner has been aptly demonstrated by their agreed upon 11-point legislative program.

With the agreement on this program, many people might assume it would be automatically recommended to the Congress. I only wish that this were true. It seems that our sugar experts in the Department of State and the Department of Agriculture are much more concerned with the welfare of the foreign producer than they are with the welfare of the domestic sugar industry.

In order that President Kennedy might be fully aware of the seriousness of the situation and the fact that the Members of the Congress would not agree this year to a program that does not take into consideration the domestic producers of sugar, both beet and cane, we drafted the following letter which I delivered to the President last Thursday. The letter was signed by 50 Members of the Congress from sugarbeet areas and sugarcane areas of the United States, including a majority of the Democratic members of the powerful House Committee on Agriculture.

Mr. Speaker, I wish to state that I am grateful for the understanding and cooperative attitude displayed by the President, and I feel confident that the sugar program the administration sponsors will not contain the serious cuts that have been urged by members of the Department of Agriculture and Department of State but will come closer to the 11-point program of the American domestic sugar industry.

The Honorable JOHN F. KENNEDY,
President of the United States,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: We are disturbed and shocked to learn that the Departments of Agriculture and State are seriously considering revisions of the Sugar Act which would inevitably result in curtailment of sugarbeet production at a time when the national welfare requires greater reliance on domestic sugar production.

These proposals, which have been circulated "for discussion," include a basic beet sugar quota for this year of only 2,560,000 tons out of total anticipated U.S. sugar consumption this year of 9,700,000 tons. The proposed basic beet sugar quota is nearly

50,000 tons less than actual beet sugar marketings last year under the present Sugar Act, and at least 200,000 tons less than expected production from this year's plantings of sugarbeets.

The proposed new basic quota would represent the production of about a million acres of sugarbeets. To cut back to this level would mean a reduction of between 10 and 12 percent from the acreage levels of last year and this year. If this should be enacted into law, this severe sugarbeet acreage reduction would have to be made in 1963. This would not only be against the national interest; it would also be impalatable and indefensible politically.

Since July, 1960, we have halted shipments of Cuban sugar to the United States, and rightly so. Yet domestic sugar producers have not been allocated one ounce of the former Cuban quota; it has all been allotted to foreign sugar producing industries. The farmers of this Nation find it increasingly difficult to understand why they cannot be permitted to produce at least a small part of the sugar which Castro has been forbidden to supply. With acreage of all surplus farm crops drastically cut, and further reductions in sight under the administration's general farm bill, farmers in nearly every State are seeking permission to produce sugarbeets, a nonsurplus crop. Their appeals thus far have met the stone wall of the present Sugar Act and regulations. The current proposal of the Departments of Agriculture and State would add barbed wire to that wall.

This proposal would not only curtail present sugarbeet producers; it would also prevent any new growers from entering the industry. Under the "growth formula" of the proposal, only 60,000 tons would be added to the beet sugar quota each year out of the average annual increase of 150,000 in total U.S. sugar consumption. This 60,000 tons would barely provide for the average annual increase in sugar yields per acre which result from scientific advancements in sugar beet production. Thus, after the initial reductions in acreage, inevitable in 1963 under the proposal, present growers would be held at lower acreage levels and there would be no opportunity for new growers. The industry would be at a standstill.

It seems inconceivable that the USDA and State Department would seriously consider offering such a proposal for congressional approval at a time when economic growth is repeatedly recognized as essential to our national welfare.

The beet sugar industry is eminently qualified for the privilege of making a significant contribution to our economic growth for, as you know, American sugarbeet farmers are among the most efficient sugar-crop producers in the world. Tremendous advancements have been made through scientific research, mechanization, development of new varieties, and improved farm practices, particularly in the years since World War II. For example, between 1946 and 1960, American sugarbeet farmers have reduced by more than one-half the amount of labor required to produce the beets for a ton of sugar. We challenge any foreign sugar producer, either beet or cane, to show that he produces his crop with less human labor than our sugarbeet farmer's record of only 22.8 man-hours per tons of sugar. Average wages paid in American beet fields are higher than either the Department of Agriculture's minimum wage requirements or the National Fair Labor Standards minimum. Economists who charge that American sugarbeet farmers are "uneconomic" no doubt base their arguments on the fact that in some tropical countries—where sugarcane is produced under substandard labor conditions, where flagrant economic inequalities invite discontent and revolution, where we are pouring

millions of dollars of aid to combat the communism that breeds in such situations—sugar can be produced cheaper in terms of dollars and cents. But at what a price in human values—and in political stability.

The American sugarbeet industry, mainland sugarcane industry, U.S. cane sugar refining industry, Hawaiian sugar industry, and Puerto Rican sugar have developed a legislative proposal which includes beet sugar provisions that would recognize the levels of production and marketing reached in the recent past and that would provide for a modest—and only a modest—growth of the industry in the future. It would set a basic beet sugar quota of 2,665,000 tons for the current year at the anticipated level of consumption, and would provide for about 75,000 tons annual increase in the beet sugar quota in following years.

We strongly urge you to recommend an administration proposal which includes the proposals of these fine segments of the domestic sugar industry.

Respectfully yours,

SNAKE RIVER LANDS BILL

Mr. HARDING. Mr. Speaker, I was pleased today that the House acted favorably on my bill H.R. 9097, which will clarify the status of certain public lands along the Snake River in Idaho where titles to the property have been in doubt for some time.

Briefly stated, the problem was this: Most of the land owned along the Snake River was acquired many years ago under patents based on an 1877 survey. Not only did the meander lines not follow the high-water lines of the Snake as exactly as they should have done, but since that survey was made, the river has to some extent altered its course.

Court rulings in Idaho land cases in the past, including a decision rendered by the Idaho Supreme Court in 1927 in the Younie against Sheek case in Bingham County, have stated:

The meander line run in surveying public lands bordering upon a navigable river is not a line of boundary, but one designed merely to point out the sinuosity of the bank of the stream, and as a means only of ascertaining the quantity of land in the fraction that is to be paid for by the purchaser, and that the watercourse, and not the meander line as actually run on the land, becomes the true boundary line.

U.S. Supreme Court rulings have also supported this position.

As a result of such impressive legal opinions, many owners of lands along the Snake in Bingham, Bonneville, Jefferson, Madison, and Fremont Counties in Idaho have assumed the property lying between the meander lines and the actual banks of the river to belong to them. They had gone ahead with various property improvements and the construction of valuable buildings. They had passed the land on to their families and other persons with the assumption it was their right to do so.

County officials had accepted the fact that the property belonged to these abutting landowners and have even taxed them for it over a long period of time. It is in the Bingham County area that reliable estimates are that over 100 landowners are involved in this title problem.

Many lending agencies have also assumed the property in question along the Snake belonged to the abutting owners. I would like to quote briefly from a letter from the manager of the Federal Land Bank Association at Blackfoot, Mr. Blair W. Archibald, who states:

For many years title examiners for the Federal Land Bank of Spokane have considered the title to lands * * * lying between the meander lines and the actual banks of the Snake River to be vested in the individual owners of the various lots abutting on the meander lines, and in reliance upon such legal opinions * * * has made numerous mortgage loans to the owners of such lands and has taken mortgages upon such lands as security for loans.

Mr. Archibald further states that at the present time the Federal Land Bank of Spokane holds approximately 20 mortgages from owners of such abutting lots which included as security the Snake River lands in question.

What finally brought the whole problem to a head was a recent survey of this property along the Snake River by the Bureau of Land Management which resulted in the property being declared public land.

As the Interior Department pointed out to the House Public Lands Subcommittee in the favorable report filed on my bill:

Under existing procedures upon acceptance of the plat of survey and publication in the Federal Register of the opening of the lands, the omitted lands become subject to the public land laws.

The Interior Department further reported:

The provisions of existing law would not * * * enable the Department to resolve all the various claims arising in connection with these lands.

It is for this reason that my bill was introduced—to assure that these riparian landowners who over many years in good faith have assumed the property to be their own, who have paid taxes on it, made improvements, will have a preference right to purchase it.

In order to guard against anyone taking unfair advantage of this provision I would like to point out that in my bill a cutoff date of March 30, 1961, has been included as far as preference purchasers are concerned. Adequate protection is also provided for any Indians who have made settlement upon these lands.

Question has been raised in some quarters over whether my bill would in any way adversely affect hunting and fishing privileges in the area. I can report that it definitely will not, since the Snake River property in question has been regarded as under private ownership for many, many years.

Also, full authority for disposing of this property rests with the Secretary of Interior who will give careful consideration to fishing and hunting rights in making any transfer of this land to private ownership.

The SPEAKER pro tempore. Under the previous order of the House the gentleman from New York [Mr. HALPERN], is recognized for 15 minutes.

[Mr. HALPERN addressed the House. His remarks will appear hereafter in the Appendix.]

A BILL TO EXTEND AND STRENGTHEN THE U.S. EXPORT CONTROL ACT OF 1949

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Washington [Mr. PELLY] is recognized for 15 minutes.

(Mr. PELLY asked and was given permission to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, I have taken the floor to notify the Members of the House that I am today introducing a bill to extend the Export Control Act of 1949 for 2 additional years beyond June 30, 1962, when it expires.

Especially, I desire to point out that my bill contains a new provision which would prohibit all exportation of agricultural commodities to any foreign country unless the President shall have determined that such country is not dominated or controlled by the international Communist movement.

Thereby, Mr. Speaker, the inconsistency in present law as between aid and trade would be removed so that indirect aid such as exports under Public Law 480 would be treated as they are under section 620(B) of Public Law 87-195 passed last September covering foreign assistance. The language of this latter foreign aid act expressed the will of Congress that no assistance should be furnished to the government of any Communist country.

My bill would terminate the policy of the administration which has been to permit the sale of agricultural products to Communist countries and especially the policy since Secretary of Commerce Luther Hodges last June lifted the ban on shipment of surplus agricultural products to Communist-bloc countries. To date, however, there has been an exception and the complete embargo has been continued on trade with Red China, North Korea, North Vietnam, and Cuba.

Meanwhile, Mr. Speaker, the Government has been licensing shipments to other Communist bloc nations and there has been much public concern that by so doing the United States has been actually helping the Communist system succeed where the Marxist program of collectivist farming has been failing.

The free world and such nations as Canada, Australia, and France have been selling to Red China so that the squeeze on Chinese peasants and consumers has been eased.

Recently, the Economic Commission for Asia and the Far East, a United Nations regional body, has suggested that Red China's leaders may be endangering their own ambitions by this economic squeeze of government planning. Notwithstanding, our allies have seen fit to supply food to help these leaders out. I am glad to say that thus far the United States has stood firm in this respect and has not permitted sale of agricultural products to Red China and North Korea.

Last week, however, the news leaked out that the President has under consideration the issuing of licenses to allow the sale of 10 million tons of American wheat and barley to North Korea and Red China—a \$400 million deal.

I contacted the Office of the Secretary of Commerce for specific information and was informed two business firms had made an application for such export licenses, but was told the decision with regard to this application was being made at the White House. Subsequently, through White House sources I was informed that the International Trading Corp. of Seattle had applied and that the matter was under advisement.

Now, Mr. Speaker, this indicates to me a possible pending change in foreign policy, a change with ramifications that could be so far reaching as to stagger the imagination and one which I view with the gravest of alarm. Once the gates of total embargo are breached, the dam will burst and the success of communism in Red China and no doubt eventually throughout the Far East will be virtually assured. Food is high on the list of strategic items in any struggle and if the decision is made to permit the shipment of wheat and agricultural products to the Chinese mainland, it will constitute the second and probably the final betrayal of the Chang Kai-shek government. It will also set the stage for the admission of this outlaw, atheist government into the United Nations by providing quasiofficial recognition of Red China.

It is hard for me to believe that the administration will approve of the shipment of grain to these countries, but the very fact that it is even being considered and that the request for these export licenses was not summarily rejected is very disturbing. Consequently, Mr. Speaker, I call on my colleagues on both sides of the aisle to urge the President to reassure the American people by immediate rejection of the request for these export licenses, so that they will know beyond doubt the administration has no intention of altering and weakening its foreign policy as it applies to the embargo on trade with Red China, North Korea, Vietnam, and Cuba.

It goes without saying, Mr. Speaker, that prompt consideration of my bill is urgent. In this connection, the cooperation and support of my colleagues will certainly be helpful.

Most of all, Mr. Speaker, the force of public opinion is needed to resolve this question of policy.

The American people must see that this issue is not one of feeding hungry mouths. My heart is filled with pity too. But the harsh reality of this situation is either we win the cold war or we submit to our humanitarian instinct. The Chinese people under the yoke of Communist rule can win back their freedom from a form of government which disregards the dignity of man and fails in its responsibility by refusing the individual the right to provide for himself. As for those of us who are still free, we, too, must make sacrifices to retain our free way of life—sacrifices such

as foregoing the profit of selling surplus grain.

We cannot win the cold war with a soft policy of supplying our enemies out of our own abundance. The United States must stand firm—otherwise the nonslave world is doomed.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Iowa.

Mr. KYL. I would ask the gentleman from Washington to again point out, as he has so frequently in the past, that our humanitarian instincts might be tempered in the knowledge that while perhaps thousands or millions of Chinese are starving for lack of food, the Red Chinese government is at the same time exporting food to exchange for hardware for military supplies.

Mr. PELLY. I would agree with the gentleman, but often, though, the Red Chinese government was not exporting food. The fact would remain that in effect this grain that we might and which our allies are supplying to the Red Chinese government is saving them from failure and thus assuring success of the Communist system as against otherwise assured failure.

ADDITIONAL TAX EXEMPTION FOR TEACHERS

(Mr. ZELENKO (at the request of Mr. LIBONATI) was given permission to extend his remarks at this point in the RECORD.)

Mr. ZELENKO. Mr. Speaker, I have today introduced legislation which will provide much-needed financial assistance for the teachers of this Nation, from the elementary school to the post-graduate level.

Because of poor financial return, teachers are leaving the profession and new recruits are hard to find. Competition with private industry cannot be met by our educational system. Delays in providing Federal assistance because of the complex problem now confronting the Congress have only served to aggravate the situation.

My bill will provide an exclusion from gross income, for tax purposes, for the first \$1,500 of salary earned by a teacher in any year. This will result in approximately \$300 annual saving for the teacher. The loss of revenue to the Treasury will be more than compensated for by the resultant increase in the overall level of education. Because of the ever-increasing alliance between science and the military, education has joined the front line of our defense. An educated American is the present day Minute Man.

From the standpoint of the defense of our Nation, it is imperative that we provide the teaching profession with a much-needed incentive to remain on the job. Low income for teachers means low morale and the loss of good teachers. The \$1,500 exemption, although not the final answer, may be enough to raise morale and save these good teachers.

By way of my bill we can at least make an attempt to help the teacher economically. Small as this incentive may

be, if it encourages one teacher to remain in the profession, I will have considered the bill, if passed, a success.

Unlike most proposed legislation in the field of education, this bill is absent any Federal regulation or control; there are no strings attached. It would help every teacher in every community, town, city, county, and State—on the elementary level, secondary, and higher education in our colleges and universities.

It is no secret that business, big and small, is recruiting and attracting highly trained, properly schooled, finely educated persons as assets for their business organizations. These are our children's teachers. They are being recruited daily and are leaving their chosen profession to provide their families with the necessities of life. Most of us remember the postwar crisis that overran the schools and in 1955 was the beginning of a full-scale invasion of higher education. This crisis, born of an explosive rise in the school-age population, is now confronting the Nation's colleges and universities with several new forces:

A dramatic surge in the percentage of the school-age population completing high school and going on to college; an accelerating growth in the quantity and complexity of knowledge to be transmitted to the student to equip him for a world of rapid technological, social, and political change; ever-intensified demands in nearly all fields for manpower educated at the college and university level; finally, the task of teaching more things to more people is being vastly complicated by rising costs; in higher education costs have jumped over 30 percent between 1950 and 1954.

The impact of these forces during the 1950's made it apparent that America had obligated its schools to a momentous educational task, but had failed to provide them with adequate resources. The most immediate and worrisome problem was a growing scarcity of qualified teachers.

It is equally clear that the principal impediment to teaching as a career is chronically low financial reward. Education could win a larger share of the Nation's best talent only by adjusting its salaries to a more competitive position in the Nation's professional marketplace. Teaching must be viewed in relation to other professions—medicine, law, engineering, business management—that are competing for the best people and that require comparable preparation.

A recent study shows that while teachers' salaries have been increased since 1920, they have barely kept pace with the increased cost of living.

What accounts for the paradox that in a competitive society the most learned manpower group should not have been able at least to maintain its relative economic status with other groups? One factor is the social and philosophic precept that teachers exist to serve society. They are nonprofit; monetary gain is neither their incentive nor their goal. Schools, colleges, and universities have always supported this precept; indeed, they are its authors. Unfortunately, in the public mind, it fostered the image of the teacher as an unworldly being,

devoted to learning and the young, content with the haven of his study, classroom, and campus—a benign, sacerdotal creature who found his reward in the pursuit and transmission of knowledge.

There is enough validity in this sentimental caricature to make it difficult to dispel. It might not have harmed the teacher's welfare except that it nourished the fallacy that he is a person pleased to work for considerably less than members of other professions.

In 1957, the President's Committee on Education Beyond the High School issued this admonition:

The plain fact is that the college teachers of the United States, through their inadequate salaries, are subsidizing the education of students, and in some cases the luxuries of their families, by an amount which is more than double the grand total of alumni gifts, corporate gifts, and endowment income of all colleges and universities combined. This is tantamount to the largest scholarship program in world history, but certainly not one calculated to advance education. Unless this condition is corrected forthwith the quality of American higher education will decline. No student and no institution can hope to escape the consequences.

To restore teaching to a competitive position in the professional labor market comparable to that which it occupied before World War II would require an average increase in faculty salaries of something like 75 to 80 percent. And to maintain this position, once restored, would probably require by 1970 an average rise of 100 to 125 percent above present faculty salary levels.

In this space age where the quest for knowledge holds an exalted position among man's desires; where thought gives birth to ideas, today, more precious than gold; where knowledge is success, individually and universally, we must not forget the tree from which all this stems, the teaching profession.

I urge my colleagues to give serious and favorable consideration to this legislation.

COMPETITION OF FOREIGN PRODUCTS

(Mr. BRAY (at the request of Mr. KYL) was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. BRAY. Mr. Speaker, from time to time I have remarked on the severe problems being inflicted on American workers and industry by the competition of foreign products. My interest in this problem is shared, I know, by a great many other Members of this body.

I would like to discuss another instance which illustrates the problems we face. It is instances of this type which materially contribute to the drain of gold from the United States, threatening our financial standing in the world.

It is another example in which the high standards of American labor have been measured against the cheap rates of foreign labor, and the decision has been against our own workers—even though in this case the project is partly financed by Federal funds.

Furthermore, it is another occasion when backs have been turned on our

H.R. 9883. An act to authorize the San Benito International Bridge Co., to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.

H.R. 10184. An act to amend section 130(a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wis.;

H.R. 10357. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 10432. An act to amend title 39, United States Code, to codify certain recent public laws relating to the postal service and to improve the Code;

H.R. 10433. An act to amend title 10, United States Code, to codify recent military laws, and to improve the Code; and

H.R. 10493. An act to amend title 18, United States Code, section 4163, relating to discharge of prisoners.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 8982. An act authorizing the Dow Chemical Co., to construct, maintain, and operate a bridge across the Rio Grande at or near Heath Crossing, Tex.; and

H.R. 9883. An act to authorize the San Benito International Bridge Co., to construct, maintain, and operate a toll bridge across the Rio Grande near Los Indios, Tex.; to the Committee on Foreign Relations.

H.R. 9097. An act to authorize the Secretary of the Interior to sell certain public lands in Idaho; and

H.R. 9273. An act to repeal obsolete laws relating to military bounty land warrants and to provide for cancellation of recorded warrants; to the Committee on Interior and Insular Affairs.

H.R. 10184. An act to amend section 130(a) of title 28, United States Code, so as to reconstitute the Eastern Judicial District of Wisconsin to include Menominee County, Wis.;

H.R. 10357. An act to provide for the settlement of claims against the United States by members of the uniformed services and civilian officers and employees of the United States for damage to, or loss of, personal property incident to their service, and for other purposes;

H.R. 10432. An act to amend title 39, United States Code, to codify certain recent public laws relating to the postal service and to improve the Code;

H.R. 10433. An act to amend title 10, United States Code, to codify recent military laws, and to improve the Code; and

H.R. 10493. An act to amend title 18, United States Code, section 4163, relating to discharge of prisoners; to the Committee on the Judiciary.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

AMENDMENT OF INTERSTATE COMMERCE ACT, RELATING TO THE RIGHT OF EMINENT DOMAIN

A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Interstate Commerce Act to grant to any carrier of coal by pipeline, subject to any of the provisions

of part 1 of the act, the right of eminent domain, and for other purposes (with an accompanying paper); to the Committee on Commerce.

STATISTICAL SUPPLEMENT, STOCKPILE REPORT

A letter from the Acting Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a secret statistical supplement, stockpile report, for the period ended December 31, 1961 (with an accompanying report); to the Committee on Armed Services.

AUDIT REPORT ON FEDERAL FACILITIES CORPORATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Facilities Corporation, General Services Administration, for the fiscal year ended June 30, 1961, and the final 3-month period ended September 30, 1961 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF CHAPTER 13, TITLE 18, UNITED STATES CODE, RELATING TO CIVIL RIGHTS

A letter from the Attorney General, transmitting a draft of proposed legislation to amend chapter 13 of title 18 of the United States Code, relating to civil rights (with an accompanying paper); to the Committee on the Judiciary.

REPORT OF DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS

A letter from the Director, Administrative Office of the U.S. Courts, Washington, D.C., transmitting, pursuant to law, his report, for the fiscal year 1961 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Alaska; ordered to lie on the table:

"HOUSE JOINT RESOLUTION 45

"Resolution relating to Federal grants and loans for academic facilities

"Whereas legislation for matching grants and loans for academic facilities is now under consideration by the Congress of the United States; and

"Whereas the public and nonprofit institutions of higher learning of Alaska face extraordinary growth problems to provide minimum essential classrooms, laboratories, library, offices, and other instructional and research facilities; and

"Whereas according to U.S. Bureau of Census projections, Alaska's college age population in the ages of 18 to 21 years will increase during the period 1962 to 1978 from a present 18,262 to a total of 72,241; and

"Whereas Federal grants for public and nonprofit institutions of higher learning academic facilities will greatly aid and facilitate the rapid growth of such institutions; and

"Whereas it is estimated that the public and nonprofit institutions of higher learning of Alaska would receive a minimum of \$10 million during the 1960's for academic facilities under the proposed legislation which would greatly aid Alaska in providing to its young people the opportunity to acquire knowledge and develop skills necessary for success in today's complex society: Therefore be it

"Resolved by the Legislature of the State of Alaska in second legislature, second session assembled, That the Congress of the United States be respectfully urged to enact the College Academic Facilities and Scholarship Act, H.R. 8900; and be it further

"Resolved, That copies of this resolution be sent to the Honorable John F. Kennedy, President of the United States; the Honorable Lyndon B. Johnson, Vice President of the United States and President of the Senate; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable A. Ribicoff, Secretary of the Department of Health, Education, and Welfare; and the members of the Alaska Delegation in Congress. Passed by the House February 23, 1962.

"WARREN A. TAYLOR,
"Speaker of the House.

"Attest:

"ESTHER REED,
"Chief Clerk of the House.

"Passed by the Senate March 7, 1962.

"FRANK PERATOVICH,
"President of the Senate.

"Attest:

"EVELYN K. STEVENSON,
"Secretary of the Senate.

"Approved by the Governor March 14, 1962.

"WILLIAM P. EGAN,
"Governor of Alaska."

Resolutions adopted by the Boards of Supervisors of Humboldt and Merced Counties, both in the State of California, opposing any action to impose a Federal tax on the income from public bonds; to the Committee on Finance.

THE ALEXANDER HAMILTON NATIONAL MONUMENT—AMENDMENT TO THE CONSTITUTION DEALING WITH POLL TAXES

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] to proceed to the consideration of the joint resolution (S.J. Res. 29) providing for the establishing of the former dwelling house of Alexander Hamilton as a national monument.

CONDITIONS AT FORT POLK, LA.

Mr. STENNIS. Mr. President—
The VICE PRESIDENT. The Senator from Mississippi.

Mr. STENNIS. Mr. President, preliminarily the Senator from Mississippi wishes to make a few remarks concerning conditions he found in a recent visit to Fort Polk, La. The Senator from Mississippi went into that area regarding a question that had arisen pertaining solely to a shortage of training equipment. While I was there, I made a survey with reference to the training equipment and also, during the day and a half that I was in the area, I had a very fine opportunity to get an on-the-ground impression of the true situation at one of our major military installations.

As one who has had some special duties on the Armed Services Committee in connection with the National Guard and other Reserves of the four services, and as one who believes strongly in the citizen-soldier concept, and also believes that it must be a permanent part as well as a major part of our highly important military program, I was highly pleased and, in fact, inspired by what I found at Fort Polk.

I wish to point out to the Senate and to the people of the United States that it is a striking contribution indeed when 21,000 men from civilian life can be gathered together on the very shortest kind of notice, from their civilian pur-

suits, and take over what had been an abandoned and unfurnished sprawling military installation and within the short time of a few months become an effective, trained, ready military organization, with ratings, according to recent examinations, of excellent on the part of many of these units, and be really ready to go into battle if ordered so to do.

I was pleased by the very high type of intelligence and leadership and talent which is reflected in the faces of these enlisted men, the noncommissioned officers, and the commissioned officers. These men are taken from all walks of life. They are business, industrial, civic and professional leaders in the communities from which they come. Most of them are men with families. They are well established in these communities and are a part of their everyday life. They work under the additional strain or handicap of being taken away from their businesses, their trade, their profession, and taken away from their families. They are taken away from their ordinary pursuits of life as citizens and transplanted, so to speak, into a different area of the country, to live the life of soldiers, when they are not professional soldiers.

I am very slow to praise anyone. However, I feel these men have earned and certainly deserve the great commendation of the people of this Nation. This particular group, I am sure, is typical of the units elsewhere. However, this group especially impressed me in that it totaled in round numbers 21,000 men, from private to general, and because there is not a single regular Army man in all the group. In other words, here is an outstanding demonstration that the matter of putting together armies in effective striking units must be and has been done by these very National Guard units and Reserve units. Should the command be given and the emergency arise at this very hour, they would virtually be ready to leave. I believe it proves conclusively that this should be a part, can be a part, and is a part of our planning for future military programs.

With reference to the contribution that is being made by these men, it is also being made by their families, their children, their wives, and the other members of their families. It is also being made by their business associates, because professional offices and business concerns and many other enterprises and undertaking had their plans disrupted at considerable hardship because of the absence of these men.

I mention all this because it is the truth and because, due to some demonstrations at other places, there has crept into public opinion the idea that, after all, these units cannot be relied upon because they will demonstrate and they will want to go home, so to speak. Unfortunately, there has been some very mild demonstration at Fort Polk. When I was there, a little over a week ago, it had not gone beyond just a meeting of some men, while they wore civilian clothes, around some of the service clubs. There had been no real outward demon-

stration except merely gathering and talking.

Incidentally, I looked into that to see if any of the men in the units from Mississippi had been involved in any of that kind of thing, because there had been a matter when men had been displeased with a shortage of training equipment. I found that none had participated.

I see in the morning's press—and I am looking now at the New York Times—that there had been some further mild rallies of that kind down there, and that the commanding officer had issued a very stern warning against it. Up to now I believe it refers to no more than some natural restlessness of these men, who want to be returned home. They feel that they have already gone through their time of training and they have made these records in their inspections, and therefore some of them want more to do, so to speak. It has been said, also, that they would not be kept beyond the year, and there is naturally some reaction to that situation. Certainly it does not go to the fundamentals. Certainly it does not detract from their fine record.

As one who is interested in the future of the National Guard and the Reserves, in the most friendly way I warn that a continuation of these matters can lead to very adverse public opinion and reflect on their fine record so far, and on their achievements and accomplishments. I certainly hope their fine record will not be marred by demonstrations, which I believe have been more or less harmless so far in the light of the main viewpoint, but which can carry lasting bad impressions as to public opinion.

I repeat that this group at Fort Polk, the 21,000 men, all of National Guard and Reserve units, with not a single regular soldier among them, demonstrates beyond all question the ability to have an effective reserve of this type of very high intelligence and the finest kind of leadership, from the enlisted men right through to the general officers, and to have them on a standby basis, with training almost up to par, and at the same time utilizing their talent, their leadership, and previous military training; that with that organization it is possible, as is shown here, to whip into being an effective military organization which is ready to take its place alongside of the very best units we have in our fine regular services.

I am sure this is a matter of great pride to the American people, who must feel a spirit of deep appreciation for what these men have demonstrated can be done, and what they have done. I was delighted to be able to find time to make a visit to each of the six units from Mississippi which are at Fort Polk. One is an engineer construction battalion of about a thousand men. Others are smaller units. Some of them are the 223d Engineer Construction Battalion, West Point, Miss.; 156th Engineer Light Equipment Company, Yazoo City, Miss.; 134th Surgical Hospital, Jackson, Miss.; 386th Transportation Company, Medium Tank, Vicksburg, Miss., and the 1065th

Transportation Company—Truck—Poplarville, Miss. However, I found each unit to be at the very highest state of preparation. Their officers were men of intelligence. I knew many of them to be outstanding leaders in civilian and professional life. They are demonstrating the finest type of devotion to their duty and great pride in their organizations. Certainly it was a reassuring experience, one which I found offsets some of the loose talk we hear about these units being soft or unwilling, and that when the test comes, the men do not measure up. I commend these men again for their very fine record of achievement.

I point with pride to the fact that America's Reserve program has turned the corner. For the first time in the history of our Nation, when a shooting was not taking place, we have been able to demonstrate on a large scale and in such a fine way the practical value of the National Guard and Reserve units.

Mr. President, I predict for these units a continuation of a very responsible, highly important, and most effective role in our military planning and programs of the future. Certainly we owe these men much for what their talent, time, and generous sacrifice are doing.

THE POLL TAX.

Mr. President, I shall resume my remarks at the point where I interrupted them at the time of adjournment yesterday on the subject of the poll tax and related questions of proposed legislation having to do with literacy tests as qualifications for voting. My remarks at this point will be directed primarily to the proposed legislative act which has already been introduced, and which may be offered as a part of the proposal concerning which a motion has been made to have it become the pending business of the Senate. Certainly there is evidence that it will be offered at some time during this session of Congress.

I was speaking yesterday of the validity or the legality of such a measure. In continuing those remarks, I next present another witness from the Constitutional Convention, a man who was destined to become President of the United States, former President James Madison, who is called the father of the Constitution. He was present at the Constitutional Convention and knew what was said and what occurred. I wish to quote Mr. Madison's statement from the *Federalist*, article 57, in which he raises this point:

Who are to be the electors of these Federal representatives? Not the rich more than the poor; not the learned more than the ignorant; not the haughty heirs of distinguished name more than the humble sons of obscurity and unpropitious fortune; the electors are to be the great body of the people of the United States.

They are to be the same to exercise the right in every State of electing the corresponding branch of the legislature of the State.

Mr. President, I wish to repeat the last sentence, from the pen of James Madison himself:

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued March 30, 1962
For actions of March 29, 1962
87th-2d, No. 49

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		Youth corps.....18,27

HIGHLIGHTS: House subcommittee voted to report REA and FHA section of farm bill.
House passed tax bill. House committee reported Youth Conservation Corps bill.
Senate passed Treasury-Post Office-Executive Office appropriation bill. Both Houses
received President's reorganization plan on science and technology functions.

SENATE

1. TREASURY-POST OFFICE-EXECUTIVE OFFICE APPROPRIATION BILL, 1962. Passed as reported this bill, H. R. 10526. Conferees were appointed. (pp. 5023-33) This bill includes appropriations for the Bureau of the Budget, Council of Economic Advisers, and Advisory Commission on Intergovernmental Relations.
2. SCIENCE; RESEARCH. Both Houses received the President's Reorganization Plan No. 2 providing for certain reorganizations in the field of science and technology (H. Doc. 372) (pp. 5021-2, 5003-4). The Plan provides for the establishment of an Office of Science and Technology within the Executive Office of the President, the appointment of a director of the Office by the President with the advice and consent of the Senate, and the transfer to the Director of certain functions of the National Science Foundation.
3. TARIFFS. The Finance Committee voted to report (but did not actually report) without amendment H. R. 10607, to amend the Tariff Act of 1930 so as to provide

for the adoption and implementation of revised tariff schedules proposed by the Tariff Commission and to make certain amendments in existing law necessitated by the adoption of such revised schedules. p. D224

4. PUBLIC LANDS. The Public Lands Subcommittee of the Interior and Insular Affairs Committee approved for full committee consideration S. 1485, to authorize the Secretary of the Interior to sell certain unsurveyed public lands along the Snake River in Idaho. p. D224
5. DAIRY INDUSTRY. Sen. Morse inserted a letter and resolution from the Malheur County (Ore.) Farm Bureau opposing the dairy provisions of the proposed farm bill. pp. 5051-2
6. APPROPRIATIONS. Received from this Department a report of an overobligation of an allotment. p. 5022
7. FORESTRY. Received from this Department a proposed bill to add certain land-utilization project lands to the Pike National Forest in Colorado and the Carson National Forest and the Santa Fe National Forest in New Mexico; to Agriculture and Forestry Committee. p. 5022
8. SALINE WATER. Received from Interior a report on the saline water program for 1961. p. 5022
9. NOMINATIONS. Confirmed the nominations of Jennings B. Fuller and William T. Steele to be members of the Federal Farm Credit Board, FCA. p. 5023
10. SOIL CONSERVATION. Agreed to without amendment S, Con. Res. 62, commemorating the 25th anniversary of the establishment of soil conservation districts. p. 5039
11. FEDERAL EXPENDITURES. Sen. Wiley spoke in favor of his proposal to provide for "the creation of a permanent Hoover-type Commission to keep a watchful eye on Federal spending." pp. 5050-1
12. PERSONNEL. Passed over, at the request of Sen. Carlson, S. 919, to amend the Hatch Political Activities Act so as to eliminate the requirement that the Civil Service Commission impose no penalty less than 90 days suspension for certain violations. p. 5038
13. EDUCATION. Sen. Morse inserted the transcript of his TV debate with Sen. Tower, "What Should Be the Role of the Federal Government in Education?" pp. 5052-4
14. ADJOURNED until Mon., Apr. 2. p. 5054

HOUSE

15. FARM PROGRAM. The "Daily Digest" states that the Subcommittee on Conservation and Credit of the Agriculture Committee 'ordered reported favorably to the full committee title V (amended) (REA and Farmers Home Administration) of H. R. 10010, the general farm bill." p. D226
16. TAXATION. By a vote of 219 to 196, passed with amendments H. R. 10650, the proposed Revenue Act of 1962, including revisions in tax provisions relative to cooperatives (see Digest 38 for items of interest). pp. 4941-97

Daily Digest

HIGHLIGHTS

Senate passed Treasury-Post Office appropriations and 66 measures on calendar call.

House passed tax revision bill.

See Congressional Program Ahead.

Senate

Chamber Action

Routine Proceedings, pages 5041-5058

Bill Introduced: One bill was introduced, as follows:
S. 3089. Page 5042

Bills Reported: Reports were made as follows:

S.J. Res. 99, to commemorate the 75th anniversary of the Interstate Commerce Commission (S. 1311); and

Report of Committee on Government Operations entitled "Work Stoppages at Missiles Bases" (S. Rept. 1312). Pages 5041-5042

Bill Placed on Calendar: H.J. Res. 441, to commemorate the 75th anniversary of the Interstate Commerce Commission, was ordered to be placed on calendar. Page 5022

President's Message—Reorganization Plan No. 2—Science and Technology: President transmitted message with proposed Reorganization Plan No. 2 of 1962 to establish the Office of Science and Technology as a new unit within the Executive Office of the President—referred to Committee on Government Operations. Pages 5021-5022

Treasury-Post Office Appropriations: Senate passed with amendments H.R. 10526, fiscal 1963 appropriations for the Treasury and Post Office Departments, Executive Office of the President, and certain independent agencies. Motion to reconsider passage of this bill was tabled. The bill as passed with the committee amendments adopted yesterday would provide funds of \$5,526,558,000.

Senate insisted on its amendments, asked for conference with House, and appointed as conferees Senators Robertson, McClellan, Monroney, Bible, Hayden, Johnston, Hruska, Kuchel, and Allott. Pages 5023-5033

Calendar Call: On call of calendar, 66 measures, of which 59 were private, were passed as follows:

Without amendment and cleared for President:

Numismatics: H.R. 10573, to grant the American Numismatic Association perpetual succession; and

Private bills: H.R. 1492, 2180, 3376, 6216, 7676, 8780, 8781, 8947, 9612, 3105, 1352, 1451, 1671, 2684, 6082, 6276, 6343, 6740, and 8422.

Without amendment and cleared for House:

North Carolina Tercentenary: S.J. Res. 147, to establish the North Carolina Tercentenary Celebration Commission;

Soil conservation: S. Con. Res. 62, to commemorate the 25th anniversary of the establishment of soil conservation districts; and

Private bills: S. 1180, 1962, 2003, 2099, 2147, 2186, 2232, 2243, 2284, 2300, 2736, 508, 2151, and 505.

With amendment and cleared for House:

Armed Forces: S. 2697, to preserve the rights of reservists and National Guardsmen called or ordered to active duty on or after August 1, 1961; and

Private bills: S. 315, 317, 732, 1630, 1915, 1937, 1943, 2167, 2184, 2203, 2276, 2339, 2340, 2389, 2418, 273, 2011, 2461, 2562, 2549, 704, 2143, 2319, 2375, 2471, and 2486.

Resolutions adopted without amendment:

Printing: S. Res. 302, to print with illustrations a report on Latin American and U.S. Policies, submitted by Senator Mansfield;

Printing: S. Res. 310, to print additional copies of part I of hearings entitled "Retirement Income of the Aging"; and

Gratuity: S. Res. 315, providing for payment of a gratuity to survivor of a deceased Senate employee.

Bill indefinitely postponed: S. 2939. Pages 5033-5041

Authority To Report Nominations: By unanimous consent, authority was granted for reporting of executive nominations following session of Senate today. Page 5042

Confirmations: The following nominations were confirmed: Seven civilian nominations, including those of Jennings B. Fuller, of Wyoming, and William T. Steele, Jr., of Virginia, to be members of Federal Farm Credit Board, Farm Credit Administration; and numerous nominations in the Diplomatic and Foreign Service. Pages 5050-5058

Program for Monday: Senate met at 11 a.m. and adjourned at 12:59 p.m. until noon Monday, April 2, when its unfinished business will be S. 2768, U.N. bonds.

Pages 5041, 5054

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Subcommittee continued its hearings on fiscal 1963 budget estimates for the Defense Establishment, with testimony in behalf of funds for their Department from the following naval officers: Vice Adm. John Sylvester, Deputy Chief of Naval Operations (Logistics); Vice Adm. Robert B. Pirie, Deputy CNO (Air); Rear Adm. Ralph K. James, Chief, Bureau of Ships; Rear Adm. Paul D. Stroop, Chief, Bureau of Naval Weapons; Rear Adm. B. F. Roeder, Office of the CNO; Rear Adm. A. F. Heyward, Jr., Deputy Chief of the Bureau of Naval Personnel, all of whom were accompanied by their associates.

Hearings continue tomorrow.

APPROPRIATIONS—PUBLIC WORKS

Committee on Appropriations: Continuing its hearings on fiscal 1963 budget estimates for public works, subcommittee had as its witnesses Brig. Gen. J. E. Potter, division engineer, New England division, and Brig. Gen. H. A. Morris, division engineer, South Atlantic division, who testified in connection with projects in their respective divisions.

Hearings continue on Monday, April 2.

COMMITTEE BUSINESS

Committee on Armed Services: Committee, in executive session, ordered favorably reported with an amendment in the nature of a substitute bill S. 9751, authorizing funds for procurement of aircraft, missiles, and naval vessels for fiscal year 1963. As approved by the committee, the bill would authorize a total of \$12,969,300,000.

The committee also approved the nominations of Maj. Gen. Marshall S. Carter, to be Deputy Director, Central Intelligence Agency, with the rank of lieutenant general; Edward A. McDermott, of Ohio, to be Director, Office of Emergency Planning; and 29,503 nominations in the Army, Navy, Marine Corps, and Air Force.

Prior to this action, in open session, General Carter was heard in behalf of his own nomination.

MILITARY CONSTRUCTION AUTHORIZATIONS

Committee on Armed Services: The Military Construction Subcommittee continued its hearings on S. 2841, authorizing funds for military construction for fiscal 1963, with testimony from Rear Adm. Frank L. Johnson, Director of Shore Activities, Office of the Chief of

Naval Operations, and Maj. Gen. Chester R. Allen, Quartermaster General, Marine Corps.

Hearings continue tomorrow.

COMMITTEE BUSINESS

Committee on Finance: Committee, in executive session, ordered favorably reported H.R. 9778, providing for free entry of certain steel donated for an addition to the Chippewa County War Memorial Hospital, Sault Ste. Marie, Mich. (amended so as to include the text of S. 2757, providing for free entry of records of engineering and exploration data not imported for sale or general distribution); without amendment H.R. 10607, to amend the Tariff Act so as to provide for the restatement of the tariff classification provisions; H.R. 10043, extending the reporting date relative to congressional studies of proposals affecting State taxation of income derived from interstate commerce; and the nominations of Robert M. Ball, of Maryland, to be Commissioner of Social Security, Department of Health, Education, and Welfare; William M. Burkhalter, of Tennessee, to be a member of the Renegotiation Board; and Raymond H. Dwigans, to be collector of customs, with headquarters at El Paso, Tex.

BRIEFING BY SECRETARY RUSK

Committee on Foreign Relations: Committee met in executive session to hear Secretary of State Dean Rusk discuss his recent conversations with Soviet Foreign Minister Andrei Gromyko.

PUBLIC LANDS

Committee on Interior and Insular Affairs: Subcommittee on Public Lands, in executive session, approved for full committee consideration S. 1485, authorizing the sale of certain public lands in Idaho (amended); S. 2164, authorizing Secretary of the Interior to cooperate with the First World Conference on National Parks (amended); S.J. Res. 60, establishing a Sesquicentennial Commission for the celebration of the Battle of New Orleans, and authorizing acquisition of certain land in connection therewith (amended); and H.R. 4380, to quiet title and possession to an unconfirmed and located private land claim in Louisiana.

CANYON LANDS NATIONAL PARK

Committee on Interior and Insular Affairs: Subcommittee on Public Lands held hearings on S. 2387, providing for the establishment of the Canyon Lands National Park in Utah, with testimony from Senators Moss and Bennett; Stewart Udall, Secretary of the Interior, who was accompanied by Conrad Wirth, Director, and Frank E. Harrison, Special Assistant to the Director, both of the National Park Service; Kenneth Pomeroy,

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only;
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Issued May 2, 1962
For actions of May 1, 1962
87th-2d, No. 68

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HIGHLIGHTS: Senate subcommittee voted to report Interior appropriation bill. Both Houses received from Commerce proposed bills on transportation. Sen. Humphrey commended Area Redevelopment Administration. Rep. Dole inserted USDA memoranda on employee support of farm programs. House passed bill to permit planting of additional nsurplus crops on diverted acreage.

SENATE

1. INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1963. The "Daily Digest" states the subcommittee of the Appropriations Committee "marked up and approved for full committee consideration with amendments" this bill, H. R. 10802 (includes appropriations for the Forest Service). p. D321
2. AMERICAN SAMOA. The Interior and Insular Affairs Committee voted to report (but did not actually report) "H. R. 10062, to extend the application of certain laws to American Samoa (amended by substituting the language of an amended version of S. 2440, a similar bill)." p. D322
3. FORESTRY; WILDLIFE. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment S. 1988, to provide that U. S. land within the boundaries of the Lower Klamath National Wildlife Refuge, the Upper Klamath National Wildlife Refuge, and the Tule Lake National Wildlife Refuge shall be dedicated to wildlife conservation. p. D322

4. PUBLIC LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment S. 1485, to authorize the Secretary of the Interior to sell certain unsurveyed public lands along the Snake River in Idaho. p. D322
5. RECLAMATION. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendment S. J. Res. 151, to permit the Secretary of the Interior to continue to deliver water to lands in the Third Division, Riverton Federal reclamation project, Wyo. p. D322
6. TRANSPORTATION. Both Houses received from the Commerce Department a proposed bill "to provide for strengthening and improving the national transportation system," and a proposed bill "to exempt certain carriers from minimum rate regulation in the transportation of bulk commodities, agricultural and fishery products, and passengers"; to H. Interstate and Foreign Commerce and S. Commerce Committees. pp. 6803, 6913
7. AREA REDEVELOPMENT. Sen. Humphrey reviewed the accomplishment of the Area Redevelopment Administration on its first anniversary and stated that by "the end of the fiscal year 1962, the ARA expects to have approved financial assistance projects that will create an estimated 30,000 direct new jobs and 21,000 indirect jobs, and to have programs approved to retrain 15,000 unemployed workers." p. 6851
8. PERSONNEL. Both Houses received from the Civil Service Commission a proposed bill "to simplify, modernize, and consolidate the laws relating to the employment of civilians in more than one position and the laws concerning the civilian employment of retired members of the uniformed services"; to Post Office and Civil Service Committees. pp. 6803, 6913
9. WATER RESOURCES. Both Houses received a GAO audit report on the Central Valley Basin, Calif., revenue-producing water resources development projects of the Bureau of Reclamation and Corps of Engineers. pp. 6803, 6912
10. YOUTH CONSERVATION CORPS. Sen. Humphrey inserted an article on the endorsement of the proposed Youth Conservation Corps by the National Jewish Welfare Board p. 6851
11. FOREIGN TRADE. Sen. Murphy inserted an article on the possible effects of the proposed trade expansion program on the shoe industry in N. H. and Maine. p. 6821

HOUSE

12. FEED GRAINS. Passed without amendment H. R. 11413, to amend the Agricultural Act of 1961 to permit the planting of additional nonsurplus crops on diverted acreage. The Committee report states that the bill would "extend the crops which may be grown on diverted acreage, subject to finding by the Secretary that the crops are not in surplus /castor beans, guar, safflower, sunflower, and sesame are in this category under present legislation/, and ... provide partial payment, not to exceed 50 percent of the rate which the farmer would have received for devoting the land to conservation uses, when such crops are planted." pp. 6870-1
13. FARM PROGRAM; PERSONNEL. Rep. Dole inserted an exchange of correspondence between him and the USDA in regard to the role of career officials in support

Daily Digest

HIGHLIGHTS

Senate debated proposal to bar literacy tests in voting.

Satellite Communications Act cleared for floor action by House Rules Committee.

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages 6803-6833

Bills Introduced: Four bills and one resolution were introduced, as follows: S. 3231-3234; and S. Con. Res. 70.

Page 6804

Bills Reported: Reports were made as follows:

S. 1316, to improve the land tenure patterns of the Fort Belknap Reservation, with amendments (S. Rept. 1372);

S. 2696, correcting certain land description errors in the act declaring that the U.S. hold in trust public lands for certain Indian tribes (S. Rept. 1373);

S. 2893, declaring that certain U.S. land is held in trust by the U.S. for the Prairie Band of Potawatomi Indians in Kansas (S. Rept. 1374);

S. 2895, conveying lands of the Minnesota Chippewa Tribe to the Little Flower Mission of the St. Cloud Diocese, with amendments (S. Rept. 1375);

S. 1605, to authorize the Federal Power Commission to delegate its functions in certain cases (S. Rept. 1376);

S. 2179, authorizing Secretary of the Interior to amend existing repayment contracts with irrigation districts to provide for block development, with amendments (S. Rept. 1377);

S. 2665, providing for an amendatory contract with the Burley and Minidoka Irrigation Districts, Idaho, with amendments (S. Rept. 1378);

H.R. 8030, authorizing use of funds from disposition of certain lands for the construction of State charitable, educational, penal, or reformatory institutions in the State of Washington (S. Rept. 1379); and

H.R. 9805, to change the name of Whitman National Monument to Whitman Mission National Historic Site (S. Rept. 1380).

Pages 6803-6804

Private Bill—Literacy Tests for Voting: Senate continued to debate the Mansfield-Dirksen amendment as a substitute for the language of H.R. 1361, private bill.

The substitute amendment incorporates the provisions of S. 2750, to bar arbitrary literacy tests in Federal elections.

Majority leader announced that the leadership proposes to file a motion for cloture on Monday, May 7, with the expectation that about an hour after the Senate meets on Wednesday, May 9, the motion for cloture will be voted on. If the motion receives a majority, but less than the required two-thirds vote necessary to invoke cloture on the pending issue, the leadership will move to table its own amendment and then vote against tabling. If the vote is preponderantly against tabling, the leadership at a subsequent date will make a second effort to invoke cloture. If the effort again fails then the Senate will proceed to other business.

Pages 6805-6808, 6833-6838, 6841-6850, 6852-6857, 6864-6868

Confirmations: The following nominations were confirmed: 13 civilian; 170 in the Diplomatic and Foreign Service; 2 judicial; and 1 to a U.N. group.

Pages 6868-6869

Program for Wednesday: Senate met at noon and adjourned at 7:08 p.m. until noon Wednesday, May 2, when it will continue on H.R. 1361, private bill—literacy tests for voting.

Pages 6833, 6868

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—INTERIOR

Committee on Appropriations. Subcommittee, in executive session, marked up and approved for full committee consideration with amendments H.R. 10802, fiscal 1963 appropriations for the Department of the Interior, and related agencies.

COAL SLURRY PIPELINE

Committee on Commerce: Committee began hearings on S. 3044, granting the right of eminent domain to

carriers of coal by pipeline, subject to provisions of part 1 of the Interstate Commerce Act. Witnesses heard were Frank L. Barton, Deputy Under Secretary of Commerce for Transportation; Thomas Kennedy, United Mine Workers of America; and George H. Love, of Pittsburgh, F. Stillman Elfred, of St. Louis, and A. L. Lynn, of Huntington, W. Va., all of the National Coal Association.

Hearings continue tomorrow.

"CITY OF NEW ORLEANS"

Committee on Commerce: The Merchant Marine and Fisheries Subcommittee continued its hearings on S. 3115, to admit the ship *City of New Orleans* to American registry, with testimony from Representative Pelly; Tom Crowley, Puget Sound Tug & Barge, San Francisco; Edwin M. Hood, Shipbuilder's Council of America; Edward H. Cox, Director, Bureau of Traffic Safety, Interstate Commerce Commission; Braxton B. Carr, the American Waterways Operators, Inc.; John N. Thurman, Pacific American Steamship Association; Marvin J. Coles, Committee of American Tanker Owners; Leslie Rudy, Alaska Steamship Co.; and Ira L. Ewers, a D.C. attorney.

Hearings were adjourned subject to call.

TAX AMENDMENTS

Committee on Finance: The committee continued its hearings on H.R. 10650, Internal Revenue Act Amendments, receiving testimony from T. Dwight Williams, Arthur Young & Co.; Eric A. Johnston, Motion Picture Association of America, Inc., and the Motion Picture Export Association of America, Inc.; Lawrence E. Tryon, Walt Disney Productions; Emil Gould, National Association of Home Builders; E. W. Kuhlman, Caterpillar Tractor Co.; and O. Kenneth Pryor, Price Waterhouse & Co.

Hearings continue tomorrow.

FOREIGN AID

Committee on Foreign Relations: Committee continued its executive consideration of S. 2996, proposed Foreign Assistance Act of 1962, but did not conclude action thereon, and will continue its consideration tomorrow.

COMMITTEE BUSINESS

Committee on Interior and Insular Affairs: Committee, in executive session, ordered favorably reported the following:

Without amendment—H.R. 4380, to quiet title and possession to an unconfirmed and located private land claim in Louisiana; H.R. 8030, authorizing use of funds from disposition of certain lands for the construction of State charitable, educational, penal, or reformatory institutions in the State of Washington; H.R. 9805, to change the name of Whitman National Monument to Whitman Mission National Historic Site; H.R. 10098,

to authorize the exchange of certain lands at Antietam National Battlefield site; S. 2696, correcting certain land description errors in the act declaring that the U.S. hold in trust public lands for certain Indian tribes; and S. 2893, declaring that certain U.S. land is held in trust by the U.S. for the Prairie Band of Potawatomi Indians in Kansas; and

Amended—S. 1485, authorizing the Secretary of the Interior to sell certain public lands in Idaho; S. 2164, authorizing Secretary of the Interior to cooperate with the First World Conference on National Parks; S.J. Res. 60, establishing the sesquicentennial commission for the celebration of the Battle of New Orleans; S. 2665, providing for an amendatory contract with the Burley and Minidoka Irrigation Districts, Idaho; S. 2179, authorizing Secretary of the Interior to amend existing repayment contracts with irrigation districts to provide for block development; S. 1988, providing for the management of the three wildlife refuges in the Tule Lake and Klamath Wildlife Refuges; S.J. Res. 151, authorizing continued delivery of water for the years 1962 and 1963 to lands of the Third Division, Riverton Federal reclamation project, Wyoming; S. 1316, to improve the land tenure patterns of the Fort Belknap Reservation; S. 2895, conveying lands of the Minnesota Chippewa Tribe to the Little Flower Mission of the St. Cloud Diocese; and H.R. 10062, to extend the application of certain laws to American Samoa (amended by substituting the language of an amended version of S. 2440, a similar bill).

Committee also approved the following two rehabilitation and betterment proposals: Sunnyside Irrigation District, Sunnyside Division, Yakima project, Washington; and Gem and Ridgeview Irrigation Districts, Owyhee project, Idaho and Oregon.

ELECTORAL COLLEGE

Committee on the Judiciary: Subcommittee on Constitutional Amendments met in executive session to consider pending amendments relating to the electoral college, but took no action, and recessed subject to call.

NOMINATION

Committee on the Judiciary: Subcommittee held hearings on the nomination of Thurgood Marshall, to be U.S. circuit judge, second circuit, with favoring testimony from Senators Javits and Keating. The nominee was present to testify and answer questions on his own behalf.

GOVERNMENT CONSTRUCTION LABOR STANDARDS

Committee on Labor and Public Welfare: Subcommittee on Labor held and concluded hearings on H.R. 10786, to provide a 40-hour workweek on Government construction contract work, with testimony from Charles Donahue, Solicitor, Department of Labor; C. J.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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BUDGET AND FINANCE

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HIGHLIGHTS: Sen. Hickenlooper inserted Republican policy committee statement opposing financing features of public works acceleration bill. Sen. Prouty introduced and discussed public works acceleration program bill.

HOUSE

1. FARM PROGRAM. The "Daily Digest" states that the Agriculture Committee "Met in executive session on H. R. 11222, the general farm bill. No announcements were made, and the committee adjourned subject to call of the Chair." p. D328
2. PUBLIC WORKS. The Judiciary Committee reported without amendment H. J. Res. 688, providing for the designation of the week commencing October 14, 1962, as "National Public Works Week" (H. Rept. 1647). p. 6967
3. EDUCATION. The "Daily Digest" states that the Subcommittee on Integration in Federally Assisted Education of the Education and Labor Committee "met in executive session and ordered reported favorably to the full committee H. R. 9824 (a clean bill to be introduced), to eliminate the provisions thereof authorizing Federal contributions for the maintenance of schools of higher education in which racial segregation is practiced; and H. R. 10056, relating to construction and maintenance and operation of public schools in federally impacted areas, to deny payments to school districts which are not in compliance with constitutional requirements that public schools be operated on a racially nondiscriminatory basis." p. D329

The "Daily Digest" states that the Rules Committee "Granted a rule providing for sending to conference H. R. 8900, to authorize assistance to public and other nonprofit institutions of higher education." p. D330

4. RECLAMATION. The "Daily Digest" states that the Rules Committee granted an open rule on H. R. 23, to authorize the Secretary of the Interior to construct, operate, and maintain the Arbuckle reclamation project, Okla. p. D329

SENATE

5. PUBLIC WORKS. Sen. Hickenlooper inserted a Republican policy committee statement opposing the financing provisions of the proposed Standby Public Works Acceleration Act of 1962, as reported by the Public Works Committee, and stating that it "is inconceivable that power be given the President not only to bypass the appropriations process, but also to transfer from agency to agency funds authorized by the Congress for established programs and specific purposes." p. 6982

6. COFFEE. Received a Hawaii Legislature resolution urging Congress to enact legislation to include coffee among the basic agricultural commodities under the Agricultural Adjustment Act of 1938 and to authorize parity payments to coffee growers in Hawaii. p. 6970

7. PUBLIC LANDS. The Interior and Insular Affairs Committee reported with amendments, S. 1485, to authorize the Secretary of the Interior to sell at not less than fair market value certain lands along the Snake River in Idaho which have been or may be found upon survey to be omitted public lands of the U. S. (S. Rept. 1381). p. 6970

8. ELECTRIFICATION. Received from GAO an audit report on hydroelectric power and related activities, Missouri River Basin project, Corps of Engineers and Bureau of Reclamation, for fiscal years 1959 and 1960. p. 6969

9. RICE. The name of Sen. Engle was added as an additional cosponsor of S. 3152, to provide for the nutritional enrichment and sanitary packaging of rice for certain Federal distribution programs. p. 6970

ITEMS IN APPENDIX

10. FOREIGN TRADE. Extension of remarks of Sen. Muskie inserting an address before the Shoe Executives of Maine discussing the impact of foreign trade on the shoe industry. pp. A3223-5

11. DAIRY. Extension of remarks of Sen. Wiley reviewing the outlook for dairy legislation in this Congress, and inserting an editorial, "Some Positive Suggestions Made." p. A3236

12. FARM PROGRAM. Extension of remarks of Rep. Ellsworth inserting a speech of Rep. Dole criticizing the farm program, "Controls Beget More Controls." pp. A3240-1

13. RESEARCH. Extension of remarks of Rep. Springer discussing the establishment of a new center for research on diseases transmissible between animals and man, and inserting an article, "Zoonoses Research Center, University of Illinois." p. A3242

AUTHORIZING THE SECRETARY OF THE INTERIOR TO SELL CERTAIN PUBLIC LANDS IN IDAHO

MAY 2, 1962.—Ordered to be printed

Mr. DWORSHAK, from the Committee on Interior and Insular Affairs,
submitted the following

REPORT

[To accompany S. 1485]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 1485) to authorize the Secretary of the Interior to sell certain public lands in Idaho, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.

The amendments are as follows:

At page 1, line 5, strike the words "or otherwise".

At page 2, line 1, after the word "lands" insert the words "are not within the boundaries of a national forest or other Federal reservation and".

At page 2, line 2, change the period to a comma and insert the words "or are not used and occupied by Indians claiming by reason of aboriginal rights or are not used and occupied by Indians who are eligible for an allotment under the laws pertaining to allotments on the public domain."

At page 2, line 5, strike the words "prior to the date of this Act," and substitute in lieu thereof the words "prior to March 30, 1961,".

PURPOSE

S. 1485 will authorize the Secretary of the Interior to sell at not less than fair market value certain public lands in Idaho that were omitted from surveys made by the United States in the 1870's.

NEED

In the late 1870's public land surveys in Idaho were extended to the banks of the Snake River. The committee is advised, however, that there are many stretches of land along the banks of the Snake

River, as well as many islands in the river, that were omitted from the Government surveys. There is no information available as to the reason for the omissions; but the committee is convinced that there are in fact many areas which are public domain and should have been surveyed as such that were not depicted on the original plats as being public lands.

Most of the land along the Snake River is privately held and was acquired under patents based on the above-mentioned surveys of the late 1870's. However, occupants of some of the areas mentioned above have found that, although they have improved and cultivated the land and even paid taxes thereon, they do not have title to all of the occupied property. It appears that the lands omitted from the surveys are primarily along those portions of the Snake River, including both the South Fork and Henry's Fork branches, upstream from American Falls in Bingham, Bonneville, Jefferson, Madison, and Fremont Counties, Idaho. Recent surveys by the Bureau of Land Management have resulted in some of the lands, omitted from previous surveys, being declared as public land subject to the general public land laws.

Under existing law there is no procedure by which the claims of occupants can be evaluated and an absolute preference given to those who, believing in good faith that they had title, have occupied the land and improved it over the years.

Accordingly, H.R. 9097 would authorize the Secretary of the Interior to sell "omitted lands" in the vicinity of the Snake River or any of its tributaries and provide a preference right of purchase to any citizen who, in good faith, under color of title or claim as a riparian owner prior to March 30, 1961, had placed valuable improvements on the land, reduced it to cultivation, or occupied it. Similar action by ancestors or predecessors in title would also permit one to qualify for a preference. Lands that have been appropriated by a settler or entryman under the public land laws, or are used and occupied by Indians claiming by reason of aboriginal rights, or are eligible for an allotment under the laws pertaining to allotments on the public domain, are excluded. Further, the bill provides for reservation to the United States of all coal, oil, gas, and other minerals subject to leasing under the Mineral Leasing Act. The Secretary, in addition, has authority to reserve for the public right of access and such other reservations as may be indicated in the public interest in order to preserve public recreational values in the lands.

DISCUSSION

The term "omitted public lands" is understood by the committee to refer only to erroneously meandered land along a river or a stream. As a result, the land between the established survey line and the river or stream is "omitted" from the final plat. The committee was informed that not only did the meandered lines not follow the high waterlines of the Snake River and its tributaries but that, since the survey was made, the river has to some extent altered its course.

In excluding from the purview of the act those lands that are used and occupied by Indians claiming by reason of aboriginal rights, the committee does not in any way recognize that there are, in fact, aboriginal rights. However, it is considered advisable to provide

for this exclusion in order to maintain whatever rights the Indians may be able to establish in accordance with general law governing use and occupation of land by Indians.

The committee understands that the term "citizen," as used in section 2 of H.R. 9097, is intended to and does include corporations, partnerships, firms, or other legal entities. Accordingly, the preference for purchase would be extended to any person or firm that would qualify under the provisions of the act.

AMENDMENTS

The first committee amendment is designed to assure payment of fair market value for any lands sold under the act by requiring that such value be determined by the Secretary of the Interior by appraisal only.

The second amendment excludes from the purview of the bill such lands, if any, that may be within the boundaries of a national forest or other Federal reservation. While it is not known that any of the lands are in fact within Federal reservations, the amendment will insure retention of lands required for a Federal purpose.

There is also uncertainty as to whether any of these "omitted lands" are occupied by Indians. The third amendment serves to exclude from the operation of the bill's provisions those lands occupied by Indians the rights to which such Indian occupants may be able to establish in accordance with general law governing use and occupation of land by Indians.

The committee's fourth amendment establishes March 30, 1961, the date of the introduction of S. 1485, as the cutoff date for settlement of the lands.

COSTS

It is not anticipated that there will be any increase in budgetary requirements as a result of the enactment of S. 1485.

DEPARTMENTAL REPORTS

DEPARTMENT OF THE INTERIOR,

OFFICE OF THE SECRETARY,
Washington, D.C., August 17, 1961.

HON. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR ANDERSON: Your committee has requested a report on S. 1485, a bill to authorize the Secretary of the Interior to sell certain public lands in Idaho.

We recommend that the bill be enacted if amended as suggested below.

The bill would authorize the Secretary of the Interior to sell at not less than their fair market value certain lands in the State of Idaho which have been or may be found upon survey to be omitted public lands of the United States. Since such sales by the Secretary are at his discretion we believe any Federal needs for the land are adequately protected.

The lands which have been identified as omitted public lands are in some cases improved or occupied by private parties who, we understand, derive their occupation and possession from various sources. Some adjoining owners are claiming the abutting "omitted" lands by virtue of entry of riparian lands, or by purchase or inheritance where such alleged claim comes from instruments describing the omitted lands, or where there are records of tax payments on the omitted lands. In other instances alleged claims are not based on any instrument of conveyance. Still others would base their claim on a purchase of the omitted lands from prior adjoining owners who are claiming only on the basis of having purchased a riparian right.

Our Bureau of Land Management indicates that it is aware of the omitted land situation in this area along the Snake River, including both of its branches, from American Falls on the south, thence upstream throughout the extent of any omitted lands. The definition of the area would take in all of the Snake River, both the South Fork and Henry's Fork, along which surveys have been made or are planned, in Bingham, Bonneville, Jefferson, Madison, and Fremont Counties. There are also other areas which may be involved.

Under existing procedures upon acceptance of the plat of survey and publication in the Federal Register of the opening of the lands, the omitted lands become subject to the public land laws. The provisions of existing law would not, however, enable the Department to resolve all the various claims arising in connection with these lands.

Section 2 of the bill would provide a preference right to purchase to any citizen who in good faith under color of title or claiming as a riparian owner has, prior to the date of this act, placed valuable improvements upon, reduced to cultivation, or occupied any of the lands subject to the operation of this act, or whose ancestors or predecessors in title have taken such action. In order to preclude any possible windfalls to late comers, we recommend that the bill's cutoff date be changed to the date the bill was introduced instead of the date of enactment. This suggested change could be effected by deleting the words "the date of this Act" as they appear in line 5, page 2, and inserting in lieu thereof "March 30, 1961".

In order to protect any Indians who may have made settlement upon any of these lands, it is recommended that section 1 be amended as follows:

On page 2, line 2, change the period to a comma and add: "or are not used and occupied by Indians claiming by reason of aboriginal rights or are not used and occupied by Indians who are eligible for an allotment under the laws pertaining to allotments on the public domain."

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., January 31, 1962.

Hon. CLINTON P. ANDERSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.

DEAR MR. CHAIRMAN: We desire voluntarily to submit this report on S. 1485, a bill, to authorize the Secretary of the Interior to sell certain public lands in Idaho.

We would have no objection to enactment of this bill if it is amended as hereinafter recommended.

The bill would authorize the Secretary of the Interior, in his discretion, to sell at not less than fair market value any lands in the State of Idaho in the vicinity of the Snake River or any of its tributaries which have been or may be found upon survey to be omitted public lands of the United States. Lands which are lawfully appropriated by a qualified settler or entryman under the public land laws may not be sold. Lands claimed by citizens of the United States under color of title or as a riparian owner and which they have placed valuable improvements upon, reduced to cultivation, or established occupancy may be purchased by the claimant at fair market value.

The drainage of the Snake River in Idaho includes much land within national forests. This is particularly true of such major tributaries as the Salmon River, Clearwater River, Payette River, and other major streams. The "omitted lands" with which S. 1485 deals characteristically would be lands along the banks of streams of material size and commonly would occupy flats and low-lying areas adjoining such streams. Many of such lands could have high potential value for public use in connection with these streams, for the preservation of the esthetics of the shorelines of the streams, or for the propagation of wildlife. Such lands within national forest boundaries should not be sold. To clarify that the bill does not contemplate sale of any such lands that might be within the boundaries of the national forest, we recommend that S. 1485 be amended as follows:

Page 2, line 1: Insert after the word "lands" the words "are not within the boundaries of a National Forest or other Federal reservation and".

The Bureau of the Budget advises that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN P. DUNCAN, Jr.,
Acting Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., August 16, 1961.

HON. CLINTON P. ANDERSON,
*Chairman, Committee on Interior and Insular Affairs, U.S. Senate,
New Senate Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget on S. 1485, a bill to authorize the Secretary of the Interior to sell certain public lands in Idaho.

The bill would authorize the Secretary of the Interior to sell at not less than their fair market value certain lands in the State of Idaho which have been or may be found upon survey to be omitted public lands of the United States.

The Department of the Interior in its separate report on S. 1485 favors enactment of this bill. The Bureau of the Budget concurs in that report and would have no objection to enactment of S. 1485.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.



Calendar No. 1343

87TH CONGRESS
2^D SESSION

S. 1485

[Report No. 1381]

IN THE SENATE OF THE UNITED STATES

MARCH 30, 1961

Mr. DWORSNIK introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

MAY 2, 1962

Reported by Mr. DWORSNIK, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To authorize the Secretary of the Interior to sell certain public lands in Idaho.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Secretary of the Interior, in his discretion, is hereby
4 authorized to sell at not less than their fair market value,
5 as determined by the Secretary by appraisal ~~or otherwise,~~
6 taking into consideration any reservations specified by the
7 Secretary pursuant to sections 3 and 4 of this Act, any of
8 those lands in the State of Idaho, in the vicinity of the Snake
9 River or any of its tributaries which have been, or may be,
10 found upon survey to be omitted public lands of the United
11 States, which lands *are not within the boundaries of a national*

1 *forest or other Federal reservation and are not lawfully*
2 *appropriated by a qualified settler or entryman claiming*
3 *under the public land laws, or are not used and occupied by*
4 *Indians claiming by reason of aboriginal rights or are not*
5 *used and occupied by Indians who are eligible for an allot-*
6 *ment under the laws pertaining to allotments on the public*
7 *domain.*

8 SEC. 2. Any citizen of the United States who, in good
9 faith under color of title or claiming as a riparian owner has,
10 prior to ~~the date of this Act~~ *March 30, 1961*, placed valuable
11 improvements upon, reduced to cultivation, or occupied any
12 of the lands subject to the operation of this Act, or whose
13 ancestors or predecessors in title have taken such action,
14 shall, if such lands be offered for sale by the Secretary, have
15 a preference right to purchase such lands at their fair market
16 value (which shall not include any increased value resulting
17 from the development or improvement thereof for agri-
18 cultural or other purposes by the applicant or his predeces-
19 sors in interest) under such rules and regulations as the
20 Secretary may prescribe for the operation of this Act.

21 SEC. 3. All patents issued under the provisions of this
22 Act shall be subject to and contain a reservation to the
23 United States of all the coal, oil, gas, oil shale, phosphate,
24 potash, sodium, native asphalt, solid and semisolid bitumen,
25 and bituminous rock (including oil-impregnated rock or

1 sands from which oil is recoverable only by special treat-
2 ment after the deposit is mined or quarried), together with
3 the right to prospect for, mine, and remove the same.

4 SEC. 4. The Secretary, in his discretion, may reserve
5 in patents issued under this Act the right of access to the
6 public through the lands and such other reservations as he
7 may deem appropriate and consonant with the public interest
8 in preserving public recreational values in the lands.

9 SEC. 5. The Secretary is hereby authorized to prescribe
10 all necessary rules and regulations for administering the pro-
11 visions of this Act, including, without limitation, the deter-
12 mination of conflicting claims arising hereunder.

A BILL

To authorize the Secretary of the Interior to
sell certain public lands in Idaho.

By Mr. DWORSHAK

MARCH 30, 1961

Read twice and referred to the Committee on Interior
and Insular Affairs

MAY 2, 1962

Reported with amendments

May 13, 1962

19. BEEF GRADING. Sen. Javits referred to a recent article, "Consumers Purchases of Beef," relating "to the fat content as affected by the grading practices of the Department of Agriculture and the resultant consequences to be considered, the health of consumers," and inserted a letter from the Secretary discussing the points raised in the article. pp. 8050-3
20. RECLAMATION. Passed as reported S. 2179, to authorize the Secretary of the Interior to amend repayment contracts with irrigation districts to provide for block development where that was not originally provided for. pp. 8036-7
21. PERSONNEL. Passed with amendments S. 2919, to authorize certain retired personnel of the Federal Government to accept and wear decorations, presents, and other things tendered them by certain foreign countries. pp. 8004-29
22. FORESTRY. Sen. Magnuson announced that he intends to move to suspend the rules on H. R. 10802, the Interior Department and related agencies appropriation bill, in order to propose an amendment providing \$6 million for forest access roads. p. 7967
Passed without amendment H. R. 9097, to authorize the Secretary of Interior to sell certain public lands along the Snake River in Idaho which were omitted from surveys. This bill will now be sent to the President.
Consideration of an identical bill, S. 1485, was indefinitely postponed. p. 8037
23. SUGAR. Agreed to a unanimous consent request by Sen. Proxmire that the sugar bill (S. 3290) be allowed to stay at the desk until Wed., for additional co-sponsors. pp. 7967-8
24. LIVESTOCK. Sen. McGee said that "meatpackers no longer are necessarily the manipulators of the prices of livestock, as once was the case, as compared with the chainstore operators, who today purchase so large a percentage of all livestock products." p. 7986
25. HOMESTEAD. Sen. Burdick discussed the centennial of the Homestead Act, saying, "I want to pay tribute today to these stouthearted individuals, who in order to establish a new start, were willing to risk the uncertainties of a new, raw, sparsely settled region." p. 7973
26. AREA REDEVELOPMENT. Sen. Muskie inserted a commendatory article, "Depressed Areas Law Operations; Government Loan Aids Maine Plant." pp. 7973-4
27. PASSED OVER the following bills:
 - S. 819, at the request of Sen. Engle, to provide for suitable works of art in Federal buildings. p. 8004
 - S. 2965, at the request of Sen. Engle, to provide standby authority to accelerate public works programs. p. 8034
 - H. R. 8355, at the request of Sen. Engle, to authorize Federal agencies to grant easements in, over, or upon real property of the U. S. p. 8035
 - S. 3225, at the request of Sen. Engle, the omnibus farm bill. p. 8035
 - H. R. 10162, at the request of Sen. Engle, to amend the Bretton Woods Agreements Act to authorize U. S. participation in pans to the International Monetary Fund. pp. 8046-7
 - H. R. 10802, at the request of Sen. Carlson, the Interior Department and related agencies appropriation bill. p. 8049
28. ADJOURNED until Mon., May 21. p. 8077

ITEMS IN APPENDIX

29. PUBLIC WORKS. Extension of remarks of Sen. Robertson and Rep. Pelly inserting an article, "Two Billion Dollars Through the Back Door," criticizing "back-door spending approach" for public works programs. pp. A3682-3, A3701-2
30. FORESTS. Extension of remarks of Sen. Byrd, W. Va., inserting his statement before the Senate Interior and Insular Affairs Committee in support of S. 1798, to provide for the establishment and administration of an Allegheny Parkway in the States of W. Va., Ky., and Md. pp. A3688-9
31. FARM PROGRAM. Extension of remarks of Rep. Michel inserting an article, "Another Billion-Dollar Fizzle," criticizing the feed grain program. pp. A3693-4
Extension of remarks of Rep. Edmondson inserting two prize-winning speeches by 4-H Club members. p. A3704
Extension of remarks of Rep. Alger criticizing the Administration's farm program and inserting an article, "Kennedy To Get Farm If His Bill Is Passed." pp. A3715-6
32. WILDERNESS. Extension of remarks of Rep. Dingell inserting 2 articles, "Wilderness and the Self-Interest of Man," and "The De Facto Wilderness: What Is Its Place?" pp. A3697-8, A3728-30
33. FOREIGN TRADE. Extension of remarks of Rep. Bow stating that "numerous inaccurate statements have been made in connection with the current controversy on the U. S. foreign trade policy," and inserting an article, "Let's Look at the Facts." pp. A3699-701
34. MILK SANITATION. Extension of remarks of Rep. Quie inserting a letter he received from the Minnesota State Board of Health in which the board announced its support of H. R. 50 and S. 212, the proposed National Milk Sanitation Act. p. A3720

BILLS INTRODUCED

35. SUGAR. H. R. 11792, by Rep. Boggs, H. R. 11800, by Rep. Rogers, Fla., and H. R. 11805, by Rep. Willis, to amend and extend the provisions of the Sugar Act of 1948, as amended; to Agriculture Committee.
36. PERSONNEL. S. 3325, by Sen. Moss, to extend the application of the Classification Act of 1949 to certain positions in, and employees of, the executive branch of the Government; to Post Office and Civil Service Committee.
H. R. 11806, by Rep. Dulski, to amend the Civil Service Retirement Act so as to provide for increases in annuities, eliminate the option with respect to certain survivor annuities, and provide for interchange of credits between the civil service retirement system and the insurance system established by title II of the Social Security Act; to Post Office and Civil Service Committee. Remarks of author. p. 7934
H. R. 11807, by Rep. Dulski, to increase annuities under the Civil Service Retirement Act; to equalize increases in annuity for certain employees retired before October 1, 1956, with annuities of other employees; to increase annuities whenever there is a general adjustment of salaries or the formulas for computing annuities of retiring employees is generally liberalized; to Post Office and Civil Service Committee. Remarks of author. p. 7934
H. R. 11808, by Rep. Dulski, to amend the Civil Service Retirement Act to provide for the adjustment of inequities; to Post Office and Civil Service Committee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the execution of a contract pursuant to the authority of section 9(d)(1) of the Reclamation Project Act of 1939 (53 Stat. 1187; 43 U.S.C. 485), and prior to the commencement of the development period provided thereunder, the Secretary of the Interior is hereby authorized to amend such contract to provide for irrigation blocks, or if such are already provided, to add to or modify such irrigation blocks, as he shall deem desirable to carry out the purposes of that Act.

SEC. 2. Section 9(d)(1) is amended by deleting the period at the end of the first sentence of said section and by adding the following: "Provided further, That when the Secretary, by contract or by notice given thereunder, shall have fixed a development period of less than ten years, and at any time thereafter but before commencement of the repayment period conditions arise which in the judgment of the Secretary would have justified the fixing of a longer period, he may amend such contract or notice to extend such development period to a date not to exceed ten years from its commencement, and in a case where no development period was provided, he may amend such contract within the same limits: *Provided further,* That when the Secretary shall have deferred the payments of all or any part of any installments of construction charges under any repayment contract pursuant to the authority of the Act of September 21, 1959 (73 Stat. 584), he may, at any time prior to the due date prescribed for the first installment not reduced by such deferment, and by agreement with the contracting organization, terminate the supplemental contract by which such deferment was effected, credit the construction payments made, and exercise the authority granted in this section."

SEC. 3. In any repayment contract which provides for payment of construction charges by single annual installments, the Secretary may by agreement with the contracting organization amend such contract to provide for the payment of such annual installments in two parts on such dates in the calendar year as may best enable the contracting organization to meet its payments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time and passed.

AMENDMENT OF BURLEY IRRIGATION DISTRICT CONTRACT

The bill (S. 2665) to authorize the Secretary of the Interior to enter into an amendatory contract with the Burley Irrigation District, and for other purposes, was announced as next in order.

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1416, H.R. 9647, an identical House bill, but with a technical amendment to correct a clerical error, which I shall offer.

The PRESIDING OFFICER. House bill 9647 will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 9647) to authorize the Secretary of the Interior to enter into an amendatory contract with the Burley Irrigation District, and for other purposes.

The PRESIDING OFFICER. Is there objection to the consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. ENGLE. I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from California will be stated.

The LEGISLATIVE CLERK. On page 2, line 15, after the word "are", it is proposed to strike out "designed" and insert in lieu thereof "defined".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. ENGLE. Mr. President, I ask unanimous consent that S. 2665 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT TO ACT ADMITTING STATE OF WASHINGTON INTO THE UNION

The bill (H.R. 8030) to amend the act admitting the State of Washington into the Union in order to authorize the use of funds from the disposition of certain lands for the construction of State charitable, educational, penal, or reformatory institutions, was considered, ordered to a third reading, was read the third time, and passed.

CHANGE OF NAME TO WHITMAN MISSION NATIONAL HISTORICAL SITE

The bill (H.R. 9805) to change the name of Whitman National Monument to Whitman Mission National Historical Site, was considered, ordered to a third reading, was read the third time, and passed.

AUTHORITY FOR THE SECRETARY OF THE INTERIOR TO SELL CERTAIN PUBLIC LANDS IN IDAHO

The bill (S. 1485) to authorize the Secretary of the Interior to sell certain public lands in Idaho, was announced as next in order.

Mr. ENGLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 9097, an identical bill now pending in the Senate Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. For the Senate to do so, it would be necessary that the committee be discharged from further consideration of that bill. Does the Senator so move?

Mr. ENGLE. Mr. President, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of the identical bill, H.R. 9097.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none; and, without objection, the Committee on Interior and Insular Affairs is discharged from further consideration of H.R. 9097.

The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 9097) to authorize the Secretary of the Interior to sell certain public lands in Idaho.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 9097) was ordered to a third reading, was read the third time, and passed.

Mr. ENGLE. Mr. President, I ask unanimous consent that S. 1485 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSFER OF CERTAIN COUNTIES WITHIN WESTERN DISTRICT OF MISSOURI

The bill (S. 2270) to amend section 105 of title 28, United States Code, so as to transfer certain counties from the western division of the western district of Missouri to the St. Joseph division of such district, and for other purposes, was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) paragraph (1) of section 105(b) of title 28, United States Code, is amended to read as follows:

"(1) The western division comprises the counties of Bates, Carroll, Cass, Clay, Henry, Jackson, Johnson, Lafayette, Ray, Saint Clair, and Saline.

"Court for the western division shall be held at Kansas City."

(b) Paragraph (3) of section 105(b) of such title is amended to read as follows:

"(3) The Saint Joseph division comprises the counties of Andrew, Atchison, Buchanan, Caldwell, Clinton, Daviess, De Kalb, Gentry, Grundy, Harrison, Holt, Livingston, Mercer, nodaway, Platter, Putnam, Sullivan, and Worth.

"Court for the Saint Joseph division shall be held at Saint Joseph."

MERRITT-CHAPMAN & SCOTT CORP.

The bill (S. 2572) for the relief of the Merritt-Chapman & Scott Corp., was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Merritt-Chapman and Scott Corporation, of Cleveland, Ohio, the sum of \$192,500. The payment of such sum shall be in full satisfaction of all claims of the said Merritt-Chapman and Scott Corporation against the United States for compensation for damages sustained by such corporation when, on August 5, 1959, a federally owned aircraft

assigned to the 128th Fighter Group of Wisconsin Air National Guard, General Mitchell Field, Milwaukee, Wisconsin, crashed into a barge owned by the said Merritt-Chapman and Scott Corporation while such barge was anchored in Milwaukee Harbor, Milwaukee, Wisconsin: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

THREE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF THE LOST COLONY AND BIRTH OF VIRGINIA DARE

The concurrent resolution (H. Con. Res. 438) to provide for a joint committee of the Congress to represent the Congress at ceremonies celebrating the 375th anniversary of the landing of the Lost Colony and the birth of Virginia Dare, was considered, and agreed to.

CANCER PROGRESS YEAR

The joint resolution (H.J. Res. 576) to designate calendar year 1962 as Cancer Progress Year, was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

INTERNATIONAL CASTINGS WEEK

The joint resolution (S.J. Res. 149) authorizing the President of the United States to designate the week of May 6, 1962, as International Castings Week, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be requested to designate the week of May 6, 1962, as "International Castings Week" in recognition of the Twenty-ninth International Foundry Congress and its theme of "Castings Technology for World Progress".

The preamble was agreed to.

INCORPORATION OF SEA CADETS OF AMERICA

The Senate proceeded to consider the bill (S. 1308) to incorporate the Sea Cadet Corps of America, and for other purposes, which had been reported from the Committee on the Judiciary, with amendments, on page 1, after the enacting clause, to strike out:

TITLE I—INCORPORATION OF INCORPORATORS

SEC. 101. The following persons: John J. Bergen, William J. Catlett, Junior, Morgan Fitch, George Hallis, and W. Royce Powell;

And, in lieu thereof, to insert "That the following named persons: John J. Bergen, William J. Catlett, Junior, Morgan Fitch, George Halas, John S. Leahy, Junior, and J. Paull Marshall;"; in line

11, after the word "hereby", to strike out "incorporated" and insert "created"; on page 2, line 3, after "corporation";, to insert "and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained"; at the beginning of line 7, to change the section number from "102" to "2"; at the beginning of line 15, to change the section number from "103" to "3"; in the same line, after the word "in", to strike out "section 101," and insert "the first section,"; at the beginning of line 24, to change the section number from "104" to "4"; on page 4, at the beginning of line 8, to change the section number from "105" to "5"; at the beginning of line 21, to change the section number from "106" to "6"; on page 5, at the beginning of line 4, to change the section number from "107" to "7"; in line 8, after the word "section", to strike out "117" and insert "17"; in the same line, after the word "this", to strike out "title" and insert "Act"; in line 11, after the name "Fitch", to strike out "George Hallis, and W. Royce Powell" and insert "George Halas, John S. Leahy, Junior, and J. Paull Marshall"; on page 6, at the beginning of line 4, to change the section number from "108" to "8"; at the beginning of line 15, to change the section number from "109" to "9"; on page 7, at the beginning of line 7, to change the section number from "110" to "10"; at the beginning of line 11, to change the section number from "111" to "11"; at the beginning of line 16, to change the section number from "112" to "12"; at the beginning of line 19, to change the section number from "113" to "13"; on page 8, after line 4, to strike out:

SEC. 114. (a) The financial transactions shall be audited annually by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

And, in lieu thereof, to insert:

SEC. 14. (a) Annual audits shall be made by an independent licensed or certified public accountant or a firm of independent licensed or certified public accountants, in accordance with generally accepted auditing standards. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

On page 9, at the beginning of line 17, to change the section number from "115" to "15"; on page 10, at the beginning of line 2, to change the section number

from "116" to "16"; at the beginning of line 11, to change the section number from "117" to "17"; at the beginning of line 18, to change the section number from "118" to "18"; at the beginning of line 24, to change the section number from "119" to "19"; and at the top of page 11, to strike out:

TITLE II—RELATIONSHIP TO UNITED STATES NAVY

Functions of Secretary of Navy

SEC. 201. (a) The Naval Sea Cadet Corps shall be established as a volunteer civilian auxiliary of the United States Navy. To assist the Naval Sea Cadet Corps in the accomplishment of objectives as set out in section 102 of title I of this Act, the Secretary of the Navy is hereby authorized, to the extent and under such conditions and regulations as he may prescribe—

(1) provide active practical training for the sea cadet divisions of the Naval Sea Cadet Corps at naval stations and on board ships;

(2) to transport sea cadets to and from such stations or ships and furnish them subsistence while en route or, instead of transportation and subsistence, pay them a travel allowance of 5 cents a mile by the shortest usually traveled route from the places from which they are authorized to proceed and return, and pay the allowance for the return trip in advance;

(3) furnish subsistence to sea cadets while on board naval stations or ships for training;

(4) furnish medical attendance and supplies to sea cadets, and admit them to military hospitals;

(5) use members of the Navy or Marine Corps, and such property of the United States as he considers necessary, for the training of the sea cadets; and

(6) issue appropriate regulations governing the administration and curriculums of the active training program of the sea cadet divisions.

(b) Active training provided for any sea cadet may not exceed a period of nine weeks in any calendar year.

(c) Under such conditions as he may prescribe, the Secretary of the Navy may—

(1) issue uniforms to the sea cadet divisions except that he may pay commutation at a rate fixed by him annually instead of uniforms;

(2) provide means of transportation, training equipment, arms, ammunition, supplies, and incentive awards and training grants;

(3) assign active duty personnel of the Navy and Marine Corps, as a collateral duty, to assist in the instruction and training of sea cadet divisions;

(4) appoint as officers of the sea cadet divisions volunteer retired members of the naval service, members of the Fleet Reserve and Fleet Marine Corps Reserve, and members of the Naval Reserve and Marine Corps Reserve and others who are qualified and volunteer; and

(5) in conjunction with the Naval Sea Cadet Corps, prescribe uniforms and insignia for the sea cadet divisions and issue regulations governing their organization, administration, instruction and training in coordination with the administration officer of the corporation.

RELATIONSHIP TO CORPORATION

SEC. 202. (a) In carrying out the functions enumerated in section 201, the Secretary of the Navy will take into account the known policies and objectives of the corporation established by title I of this Act, treating the latter to the fullest extent consistent with existing laws and regulations as a partner in the common enterprise. The principle of mutual support and public recognition shall be adhered to in connection with



Public Law 87-469
87th Congress, H. R. 9097
May 31, 1962

An Act

76 STAT. 89.

To authorize the Secretary of the Interior to sell certain public lands in Idaho.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, in his discretion, is hereby authorized to sell at not less than their fair market value, as determined by the Secretary by appraisal, taking into consideration any reservations specified by the Secretary pursuant to sections 3 and 4 of this Act, any of those lands in the State of Idaho, in the vicinity of the Snake River or any of its tributaries which have been, or may be, found upon survey to be omitted public lands of the United States, which lands are not within the boundaries of a national forest or other Federal reservation and are not lawfully appropriated by a qualified settler or entryman claiming under the public land laws, or are not used and occupied by Indians claiming by reason of aboriginal rights or are not used and occupied by Indians who are eligible for an allotment under the laws pertaining to allotments on the public domain. Idaho.
Sale of public lands.

SEC. 2. Any citizen of the United States who, in good faith under color of title or claiming as a riparian owner has, prior to March 30, 1961, placed valuable improvements upon, reduced to cultivation, or occupied any of the lands subject to the operation of this Act, or whose ancestors or predecessors in title have taken such action, shall, if such lands be offered for sale by the Secretary, have a preference right to purchase such lands at their fair market value (which shall not include any increased value resulting from the development or improvement thereof for agricultural or other purposes by the applicant or his predecessors in interest) under such rules and regulations as the Secretary may prescribe for the operation of this Act. Preference rights.

SEC. 3. All patents issued under the provisions of this Act shall be subject to and contain a reservation to the United States of all the coal, oil, gas, oil shale, phosphate, potash, sodium, native asphalt, solid and semisolid bitumen, and bituminous rock (including oil-impregnated rock or sands from which oil is recoverable only by special treatment after the deposit is mined or quarried), together with the right to prospect for, mine, and remove the same. Patents.
Mineral reservation.

SEC. 4. The Secretary, in his discretion, may reserve in patents issued under this Act the right of access to the public through the lands and such other reservations as he may deem appropriate and consonant with the public interest in preserving public recreational values in the lands. Right of access.

SEC. 5. The Secretary is hereby authorized to prescribe all necessary rules and regulations for administering the provisions of this Act, including, without limitation, the determination of conflicting claims arising hereunder. Rules and regulations.

Approved May 31, 1962.

